ANNUAL REPORT 2022

DOMESTIC VIOLENCE FATALITY REVIEW

ILLINOIS COALITION AGAINST DOMESTIC VIOLENCE

ICJIA

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DePaul University

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Judge, Retired
18th Judicial Circuit Court

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Office of the Illinois Lt. Governor

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Jeanine Woods
Executive Director
Cairo Women's Shelter, Inc.

**Denotes member who served a partial term.*

INTRODUCTION

The Illinois Criminal Justice Information Authority Ad Hoc Illinois Statewide Domestic Violence Fatality Review Committee (DVFRC) was established by the *Illinois Domestic Violence Fatality Review Act*[1] in August 2021. DVFRC was formed to establish and provide guidance, leadership, research, and other supports to regional domestic violence fatality review teams in Illinois and to serve as a statewide resource for addressing domestic violence-related fatalities[2] and near fatalities.[3] DVFRC began meeting in January 2022 and continues to meet every other month to carry out its mandates.

Domestic violence fatality review is a process that aims to prevent future domestic violence-related fatalities and near fatalities and reduce the severity and frequency of domestic violence. Fatality reviews are conducted by multi-disciplinary, multi-agency teams of stakeholders that examine various sources of data about the days, months, and years leading up to a person's death or near death. These data sources may include interviews with family members; child welfare, health, legal, education, or employment records; and witness accounts. Fatality review teams have been established in other fields, including those specific to fatalities involving child victims, elder abuse and neglect, aviation, and more recently, deaths related to the opioid epidemic. The goal of fatality review is to look at system vulnerabilities that lead to adverse outcomes for survivors, victims, and their families, identify policy and practice recommendations, and support the implementation of recommended changes. In 2022, more than 200 domestic violence fatality review teams existed across the United States and its territories, with some operating for more than 20 years. Those fatality review teams were engaged in system reform to decrease the incidence of domestic violence, improve domestic violence response, and reduce and prevent domestic violence fatalities and near-fatalities.[4] In 2021, Illinois recognized the importance of fatality review and passed legislation to create a formalized process for reviewing domestic violence fatalities.

Purpose of Domestic Violence Fatality Review

The purpose of the DVFRC is to support domestic violence fatality review in Illinois by establishing regional domestic violence fatality review teams organized by Illinois circuit court boundaries. The regional review teams will conduct comprehensive case reviews of fatalities and near-fatalities linked to domestic violence. These in-depth reviews will examine various systems, collect and review records, and conduct interviews. Because an effective response for victims and survivors may require a variety of governmental, social, and community services and supports, reviewing

[1] *Illinois Domestic Violence Fatality Review Act*, 750 ILCS 62

[2] "Fatality" is defined as a death caused by suicide or homicide 750 ILCS 62/5

[3] "Near-fatality" is defined as a death that nearly occurred by means of suicide or homicide or an injury that could have resulted in death 750 ILCS 62/5

[4] 750 ILCS 62/10m

cases from various perspectives can help to identify areas of breakdown between these entities.[5] DVFRC is mandated with collecting policy and system recommendations from each regional review team and making recommendations to the Governor and the General Assembly every other year. DVFRC also is mandated to report on its operations and activities annually.

Domestic violence-related fatalities and near fatalities can be prevented, and the use of regional domestic violence fatality review teams under the leadership, guidance, and technical assistance of the DVFRC is an effort toward such prevention. A coordinated and consistent approach among community and system points of intervention are important to bring safety, stability, well-being, and healing of survivors and facilitate meaningful engagement with and sustainable accountability for offenders.

OPERATIONS AND ACTIVITIES

In 2022, Committee members and staff created a DVFRC foundation and structure through the following activities:

- **Establishing the Committee:** Nominated DVFRC members and completed the vetting process, elected Officers: Co-Chairs and Secretary, appointed members, established working groups and completed required State trainings
- **Administrative Duties:** Contracted with ICADV by and through the Illinois Criminal Justice Information Authority, set a budget, hired program staff, built collaborative partnerships, and began website development
- **Meetings:** Set a meeting schedule, held quarterly meetings
- **Training and Mock Case Review:** Provided a training on the overview of domestic violence fatality review and held a mock case review
- **Data Source Analysis:** Analyzed sources of domestic violence data and performed an institutional analysis
- **Regional Review Team Planning:** Began identifying sites to serve as the pioneer regional review teams and began developing a handbook of policies and procedures.

[5] 750 ILCS 62/10j

ESTABLISHING THE COMMITTEE

Electing Officers

Sara Block and Megan Alderden were elected co-chairs by the voting members at the first meeting. Jenny Schoenwetter was elected secretary.

Appointing Members

DVFRC member appointments began in January 2022 in accordance with the terms of the Act.[6] DVFRC membership includes staggered-term voting and ex-officio non-voting members and requires racial, ethnic, gender, and geographic diversity. In their initial terms, half of the members were designated, by drawing, to serve two-year terms and the other half were designated to serve three-year terms. After their initial terms, each member will serve a three-year term.

All DVFRC members serve without compensation but may be reimbursed for actual expenses incurred, such as travel and printing. No member requested reimbursement for expenses in 2022.

Members were appointed from the following areas as designated by the Act:

Area of Representation	Voting Members:
Four members of the General Assembly	Sen. Celina Villanueva (D) Sen. Sally Turner (R) Rep. Maurice West (D) Rep. Tony McCombie (R)
One member of the Governor's Policy Leadership Team	Emily Miller
Four members representing regional review teams	Jennifer Cacciapaglia Jennifer Greene Jenny Schoenwetter *Vacant*
Two members who are domestic violence survivors	Cassandra Tanner Miller Willette Benford
Four social service providers working w/survivors	Jenna Lopez Michelle Meyer Jennifer Vancil Jeanine Woods
Two members representing organizations advocating on behalf of survivors of domestic violence	Amanda Pyron Vickie Smith

[6] 750 ILCS 62/25

Two social service providers experienced in working w/ offenders	Meg Hefty Dr. Tom Golebiewski
One emergency medicine physician	Dr. Jacob Stelter
One member of the IL Association of Chiefs of Police	Chief Tom Weitzel (Ret.)
One member of the IL Sheriffs Association	Sheriff Andrew Hires
Three members with substantial expertise and experience in the response to or prevention of domestic violence	Dr. Megan Alderdan Sara Block Fawn Pettet

Ex-Officio, Non-Voting Members	Represented by:
Lieutenant Governor	Emily Harwell
Secretary of Human Services	Teresa Tudor
Attorney General	Wendy Cohen
Director of IL State Police	Major Dan Likens
Director of Children and Family Services	Stacey Short
Director of IL Criminal Justice Information Authority	Amanda L. Vasquez
Director of Office of State's Attorney Appellate Prosecutor	Pat Delfino
Director of Office of the State Appellate Defender	Carolyn Klarquist
Director of the Administrative Office of the Illinois Courts	Judge Robert Anderson (Ret.)
Director of the Illinois Department of Public Health	Sheryl Friedrich

Establishing Working Groups

The Domestic Violence Fatality Review Act allows for DVFRC to establish one or more subcommittees to address specific issues regarding domestic violence, domestic violence fatalities and near fatalities, domestic violence fatality review, or other related issues or subject matters and may invite nonmember subject matter experts to serve on the subcommittee.[7]

During each regular meeting, DVFRC discussed forming smaller working groups to support the Committee's mission. Members were asked to complete a survey indicating the workgroup on which they were most interested in serving. The workgroups and their responsibilities include:

- **Data Collection and Analysis**: Compile statewide and localized data on and incidences of domestic violence-related fatalities and near-fatalities and create methods of sharing this data with the DVFRC, state legislature, regional review teams, and other stakeholders; Assist DVFRC by establishing performance metrics and data collection procedures

[7] 750 ILCS 62/40b-1

associated with those metrics to document the activities and accomplishments of DVFRC; and establish a mechanism for data collection for the Regional Review Teams and analyze this data.

- **Policy and Procedure**: Create model operating documents and procedures for the regional review teams; and respond to needs from the regional review teams for specific policies and procedures.

- **Implementation and Technical Assistance**: Create a six-year implementation plan for launching the regional review teams statewide; support the execution of the implementation plan; provide technical assistance to the regional review teams about formation and conducting the reviews; and participate in DVFRs in the regions when needed.

- **Recommendations and Reporting**: Support the regional review teams in drafting their recommendations; review the recommendations from the regional review teams; support implementation of the recommendations where appropriate; and participate in the drafting of the required Annual Report and Biannual Report.

The workgroups will begin convening in 2023 in accordance with the Domestic Violence Fatality Review Act and the Open Meetings Act.[8]

Training

Members were required to complete trainings in the areas of sexual harassment;[9] ethics;[10] the Open Meetings Act; and diversity, equity and inclusion.[11] [12]

[8] 5 ILCS 120

[9] 5 ILCS 430/5-10.5

[10] 5 ILCS 430/5-10

[11] Exec. Order 21-16

[12] *Open Meetings Act*, 5 ILCS 120/1.01

ADMINISTRATIVE DUTIES

Funding and Staff

ICJIA received a $300,000 line-item appropriation of State General Revenue funds to support the DVFRC. With these funds, ICJIA contracted with the Illinois Coalition Against Domestic Violence (ICADV) to provide staffing and support to DVFRC and its regional review teams, as allowed by the Act.[13]

The Domestic Violence Fatality Review Act tasks DVFRC with hiring a full-time manager to carry out the duties and responsibilities of the Statewide DVFRC and regional domestic violence fatality review teams. The Act allows the Committee to hire additional staff, subject to availability of funds for that purpose, and subject to approval by the DVFRC.[14] The contract with ICADV was approved in May 2022 and committee members voted to hire an additional staff member in June 2022.

To fulfill the terms of its contract, ICADV hired Samantha A. Gaddy to serve as director of fatality review and Stacey D. Smith to serve as fatality review program coordinator. These staff were full-time and housed with the ICADV offices in Springfield. ICADV provides additional staff as needed for communications, information technology, and other Committee operations.

Collaborative Partnerships

In addition to ICJIA's collaborative partnership to support the DVFRC, the National Domestic Violence Fatality Review Initiative (NDVFRI) provides training and guidance.

Illinois Coalition Against Domestic Violence

ICADV is comprised of over 50 direct service providers and community partners that provide services to survivors of domestic violence and their children throughout Illinois. ICADV provides training, public education, outreach, and technical assistance. ICADV provides staffing and administrative support to DVFRC.

Illinois Criminal Justice Information Authority

ICJIA is a state agency dedicated to improving the administration of criminal justice by bringing together key leaders from the justice system and the public to identify critical issues facing the criminal justice system in Illinois. ICJIA proposes and evaluates policies, programs, and legislation

[13] 750 ILCS 62/40b-8

[14] *Id*. §. 40

that address those issues, working to ensure the criminal justice system in Illinois is efficient, effective, and equitable.[15]

National Domestic Violence Fatality Review Initiative

The NDVFRI provides the Committee technical assistance as they review domestic violence deaths. This assistance supports the DVFRC objectives of preventing those deaths in the future, preserving battered women's safety, holding accountable both the perpetrators of domestic violence and the multiple agencies and organizations that come into contact with the parties.[16]

Website Development

DVFRC collaborated with ICJIA staff to create a website, as required by the Act. The website will include annual and biennial reports, meeting dates, agendas and minutes, and serve as a resource for regional teams. The website launched in April 2023.

[15] *Illinois Criminal Justice Information Authority Act*, 20 ILCS 3930

[16] *National Domestic Violence Fatality Review Initiative*, https://ndvfri.org/

MEETINGS

DVFRC must meet at least quarterly each fiscal year. DVFRC held five regular meetings and one special meeting between January 2022 and December 2022. Meetings occurred every other month on the third Tuesday of that month. The regular meeting schedule was set by vote of DVFRC.

Meeting Structure

The *Domestic Violence Fatality Review Act* allows for meetings to be held virtually during a public health emergency, with a disaster proclamation declared by the Governor, or at the discretion of the co-chairs. Committee meetings initially were held via Webex and hosted by ICJIA until ICADV's contract was executed. Meetings are now held via Zoom and hosted by ICADV. All meetings are public and subject to the Open Meetings Act.[17] Closed executive session is held to discuss personnel matters, confidential information as defined in the Act,[18] and cases eligible for review.[19] No executive session proceedings were held by DVFRC in the first year. At least seven voting members must be present to achieve quorum.

The Committee met remotely five times in 2022. Each meeting included a discussion of recent domestic violence fatalities in the media, administrative updates from staff, and discussion or training in preparation for regional review team establishment.

2022 Committee Meetings

- **January 13, 2022**
  - Member introductions
  - History and structure overview
  - Election of officers (vote)
  - Drawing to identify 2- and 3-year term members
  - Adoption of bylaws (vote)
  - Budget discussion

- **March 15, 2022**
  - Training: Domestic Violence Fatality Review w/Dr. Neil Websdale

- **June 21, 2022**
  - Vendor introduction: ICADV
  - Discussion on hiring of additional staff (vote)
  - Illinois domestic violence data discussion and overview

[17] 5 ILCS 120

[18] 5 ILCS 120/2(c)(38)

[19] *Id.* § 70

- Set meeting schedule (vote)

- **September 22, 2022**
  - Working group sign-up
  - Mock Case Review Exercise w/NDVFRI

- **November 15, 2022**
  - Mock case review reflection and next steps
  - Institutional Analysis discussion
  - Timeline overview
  - Regional review team planning

Mission Moment and Case Discussion

DVFRC meetings began with a discussion of recent media reports on Illinois domestic violence fatality cases, which was followed by a moment of silence to honor the victims and their survivors to remind DVFRC of its purpose and mission. DVFRC Members expressed concerns about what they believed to be a lack of informed reporting by the media and misleading or minimizing language often used in news reports. Members discussed individual, traditional cases involving known abusers who have killed, as well as non-traditional cases involving other relationships defined in the Illinois Domestic Violence Act, noting that non-traditional cases may have complicated circumstances for regional teams to sort through as they begin to look at specific homicides and near-homicides. Committee members also discussed recent cases involving charges filed against survivors who kill their abusers, despite those victims' well-documented histories of abuse.

DOMESTIC VIOLENCE FATALITY REVIEW TRAINING

Members received domestic violence fatality review training from Neil Websdale, director of the National Domestic Violence Fatality Review Initiative. Dr. Websdale held a training and lead discussion during the DVFRC's March committee meeting. The presentation included a history and overview of domestic violence fatality review, how to establish a review team, data collection, and other information. In September, Dr. Websdale and his team led the Committee through a mock case review exercise.

Mock Case Review Exercise

The goal of the virtual mock case review exercise was to expand DVFRC's knowledge of t procedural aspects of effective domestic violence fatality review. In the three-hour exercise, Dr. Websdale and his team led the DVFRC through an accelerated homicide case review resulting from domestic violence. DVFRC divided into three groups, each completing the following analyses:

- ***Establishing a Timeline:*** Creating a linear chronology of events to map out significant events of the case
- ***Identifying Antecedents/Red Flags***: Identifying key indicators where the potential for serious violence or lethality is escalating
- ***Identifying Involvement:*** Identifying existence and degree of prior involvement and coordination of agencies, friends, family, neighbors, significant others, religious affiliations, education systems and other significant community roles
- ***Making Policy Recommendations:*** Identifying areas where policy recommendations can be made

Exercise Feedback and Discussion

Committee members' post-exercise feedback indicated the exercise expanded their knowledge of domestic violence fatality review and the functions of the regional review teams. Committee members also identified the need for additional trainings. Members said the Committee would benefit from training on how to support survivors of domestic violence homicide victims and on addressing reviewers' risk of vicarious trauma.

The group noted the importance of gathering all necessary documents prior to the review—a time-intensive task in a true case review. Members stated the regional review teams will need a lot of support and/or staff to collect case documents for review. DVFRC may need additional staffing to help gather records.

DATA SOURCE ANALYSIS

DVFRC may periodically issue reports and findings on domestic violence and domestic violence-related fatalities and near fatalities, identifying trends, examining the data landscape, and developing mechanisms for collecting and analyzing data.[20] DVFRC will identify existing data to inform DVFRC and regional team work. This work also will unveil data gaps.

No single source for data exists on domestic violence fatalities or near fatalities in Illinois. Therefore, researchers, practitioners, and policy makers must rely on multiple data sources to understand the trends and patterns in domestic violence-related victimization. These sources include offenses reported to the police, victimization surveys, the Illinois Violence Death Reporting System, and the Illinois Statewide Unintentional Drug Overdose Reporting System.

Offenses Reported to Police

Uniform Crime Reporting

Until 2021, local law enforcement agencies voluntarily provided the FBI with data on the total number of crimes reported to local law enforcement agencies as part of the national Uniform Crime Reporting (UCR) program. Part I Index Offenses are of particular interest to those who examine crime trends. These include violent index crimes (murder, rape, aggravated assault, and robbery) and property index crimes (burglary, larceny-theft, motor vehicle theft, and arson). Unfortunately, the manner in which these data were collected—summary counts of crime incidents per crime category—prevented victim/perpetrator relationship analyses. Illinois law enforcement agencies participate in this reporting program as stipulated in the Illinois Uniform Reporting Act[21]. The Illinois UCR program was overseen by the Illinois State Police (ISP).

Supplemental UCR Reporting

Illinois expanded its UCR program in 1996 to require police agencies to provide incident-based data for specific types of offenses (ISP, 2012). This included additional detailed information about domestic offenses and homicides. Per the Illinois Uniform Reporting Act,[22] domestic crimes are "any crime attempted or committed between a victim and offender who have a domestic relationship, both current and past." Police agencies are required to submit to ISP information about the victim, alleged offender, date and time of the incident, injury inflicted, weapons involved, and the victim and offender relationship for incidents meeting the definition of a domestic crime or homicide.

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[20] 750 ILCS 62/40(b)4

[21] Uniform Crime Reporting Act, 50 ILCS 709/5.3

[22] *Id*.

National Incident-Based Reporting System

In 2021, the federal government replaced the national UCR program with the National Incident Based Reporting System (NIBRS). NIBRS is incident-based and requires police agencies to submit detailed information about each incident. This includes information about the victim, alleged offender, victim-offender relationship, and other incident characteristics (e.g., day, time, weapon, location, etc.). These details allow for a more in-depth understanding of crime characteristics and trends.[23]

NIBRS' one disadvantage is that it takes significant resources at the local level to implement the system and digitally collect and submit the data to the FBI. In 2021, nationally, 11,794 of 18,806 (62.7%) police agencies reported data through NIBRS. Police agency participation varied by state. In Illinois, only 328 of 934 (35.1%) policing agencies used NIBRS in 2021, including the Chicago Police Department, Illinois' largest policing agency.

Victimization Surveys

National Crime Victimization Survey

Victimization surveys are another source of crime data. The National Crime Victimization Survey, conducted by the U.S. Bureau of Justice Statistics, is the primary source of data on crime victimization in the United States.[24] Unlike policing data, victimization surveys collect information from U.S. residents on several types of crime, including those not reported to police. Survey data is used to generate national estimates and, more recently, subnational estimates for the 50 states and in large metropolitan statistical areas.[25] Practitioners and researchers can use these data to examine crime patterns and trends in domestic violence, including those that involve severe injuries. Unlike policing data, however, these data are not available annually, nor are they available on every jurisdiction.

Illinois Violent Death Reporting System

The Illinois Violent Death Reporting System (IVDRS)[26] maintained by The Northwestern University Feinberg School of Medicine in partnership with the Illinois Department of Public Health is another data source for domestic-related homicides and suicides. IVDRS is a state-based reporting system that collects detailed data on homicides and suicides from numerous governmental sources, including policing agencies, coroner and medical examiner reports, and death certificates. The

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[23] For more information see: https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/ucr/nibrs

[24] https://bjs.ojp.gov/programs/ncvs#22931

[25] *See* Fay and Diallo, 2015) Developmental Estimates Of Subnational Crime Rates Based On The National Crime Victimization Survey (researchgate.net)

[26] https://sites.northwestern.edu/ivdrs/

IVDRS is part of a network of state systems collecting violent death data and is a member of the National Violent Death Reporting System program funded by the Centers for Disease Control and Prevention. The data collected includes demographic information, victim-offender relationship, and incident characteristics.[27]

The IVDRS program has operated in Illinois since 2014. At that time, IVDRS staff obtained data from just six of Illinois' 102 counties. As of June 2022, 65 counties were participating in IVDRS. These counties accounted for about 90% of all violent deaths occurring in Illinois.

Illinois Statewide Unintentional Drug Overdose Reporting System

Similar to the IVDRS, the Statewide Unintentional Drug Overdose Reporting System (SUDORS)[28] is a statewide reporting system for detailed data on unintentional drug overdoses reported from numerous governmental sources, including policing agencies, coroner or medical examiner reports, and death certificates. The data collected could potentially be used to identify drug overdoses that may involve individuals who are also experiencing domestic violence. In 2020, 52 Illinois counties reported data to SUDORS.

[27]For a description of variables collected, *see* https://www.luriechildrens.org/globalassets/documents/luriechildrens.org/research/research-areas/research-programs/smith-child-health-research-program/lch-689-ivdrs-data-brief-july-2015_r1.pdf

[28] https://sites.northwestern.edu/illinoissudors/

REGIONAL REVIEW TEAM PLANNING

DVFRC is charged with setting up and providing support for regional domestic violence fatality review teams within the boundaries of 23 Illinois judicial districts. The statute defines a regional review team as a "multiagency and multidisciplinary team that selects and reviews eligible cases."[29] Though the regions will be organized by the circuit court boundaries, review teams may elect to divide into area-specific sub-teams that cover counties, jurisdictions, or other areas.

Pioneer Sites

Five locations have expressed an interest in forming a team to participate in the first cohort of regional review teams. These sites will be referred to as "pioneer sites." DVFRC will work closely with the pioneer sites as they encounter challenges and find solutions that will help guide policy making for future regional teams. DVFRC will continue to identify and recruit additional regional teams.

Fatality Review Training

Once members have been identified, the regional teams will be trained to conduct reviews of domestic violence fatalities and near fatalities in their jurisdictions. After DVFRC's participation in the mock case review exercise, Committee members identified a need for training in vicarious trauma prior to beginning review work. Trainings will be developed to address that need.

Establishing Policies and Procedures

DVFRC will support the regional teams by sharing model policy and procedure guidelines, additional training, and other forms of technical assistance, as requested. DVFRC staff are currently researching best practices and legal requirements for confidentiality agreements and are developing a policy and procedure handbook to serve as a guide for regional teams.

Cases Eligible for Review

The Act provides guidance on case types eligible for review by regional review teams.[30] Regional teams will review domestic violence fatalities and near fatalities that involve a relationship between the victim or survivor and the offender and a history of domestic violence or stalking, occur within the team's judicial district, and fall under one of the following categories:

1. **Homicide:** Victim's death was caused by offender, or offender's death was caused by survivor.
2. **Suicide:** Offender, survivor, or victim attempted or completed suicide.
3. **Familicide:** Deaths of victim and other members of victim's family were caused by offender.

[29] 750 ILCS 62/45

[30] 750 ILCS 62/70

4. **Near fatality**: The survivor caused the near fatality of the offender or the offender caused the near fatality of the survivor
5. **Other cases:** Any other cases involving domestic violence if a majority of the regional review team members vote that review will advance the purposes of the Act.

Confidentiality

Fatality review often necessitates gathering and possessing highly confidential information. DVFRC is mandated to develop model confidentiality agreements for use by the regional review teams.[31] Each review team member must sign a confidentiality agreement.[32] DVFRC is compiling best practice and statutory guidelines for a model confidentiality agreement. Members will vote to approve the guidelines prior to submission to the regional teams. Confidential information held by the DVFRC is not subject to disclosure by regional team members, the Committee, or the ICJIA Board under the Freedom of Information Act,[33] subpoena and discovery, admissibility as evidence in any civil or criminal proceeding. Regional review team members cannot be compelled to release or disclose any confidential information obtained as part of their official duties.[34]

Data and Recommendations

Regional teams will report data and case findings and make recommendations to the DVFRC. The Committee will review and analyze the data for trends, strengths, and vulnerabilities; make a comprehensive set of public recommendations; and assist in implementing recommendations and tracking outcomes.

[31] *Id.* § 40-7

[32] *Id*. § 75

[33] 5 ILCS 120

[34] 750 ILCS 62/75(b)

LOOKING AHEAD

DVFRC will continue to meet every other month throughout 2023, with regular meetings scheduled on the following dates:

- January 17
- March 21
- May 16
- July 18
- September 19
- November 21

Strategic Planning

A short-term workplan was developed with the DVFRC executive team, consisting of the elected officers and DVFRC staff. This team developed a work plan for DVFRC website content, handbook and document planning, and other tasks. The team will continue to develop a regional implementation plan for the next six years as required by the Act,[35] including a timeline for engaging additional sites and a procedure for appointing initial review team members.

Collaborating with Peer Networks

DVFRC will partner with a well-established fatality review team in another state over the next year. This partnership will support Illinois fatality review work by helping members understand and anticipate challenges that may arise and how other states have worked through challenges and other lessons learned. Committee staff participated in a teleconference, hosted by the National Network to End Domestic Violence, with more than 50 members of other fatality review teams around the country and are reaching out to states with similar review team structures to establish partnerships.

Engaging Survivors

DVFRC members, including survivors serving on DVFRC emphasized connecting survivors with each other, particularly during active case reviews. When a case is selected for a fatality review, survivors and their family members may suffer re-traumatization. It is important to both consider and engage survivors and their families in the process and connect them with Committee members who are also survivors so that survivors are not feeling retraumatized and this does not become a barrier to case review.

Self-Care and Trauma Training

Committee members discussed the “unexpected heaviness” and “significant weight” of participating in fatality reviews and the need for Committee and team member training in self-care and vicarious and

[35] Id.§ 40(a-4)

secondary traumatic stress.[36] DVFRC is working to establish a partnership with a trauma center or program to provide this training in 2023.

Institutional Analysis

DVFRC conducted an early cursory institutional analysis among its members on domestic violence responses in Illinois (*Appendix B*). Members were asked to submit a one-page document with descriptions of their programs or agencies, sources of domestic violence program funding, and any gaps or vulnerabilities they encounter. The analysis also asked for any policies and legislation related to those programs, if applicable, to help Committee members better understand services available amongst the members. The institutional analysis served as a starting point for DVFRC in understanding the responses to domestic violence services and service gaps in Illinois.

[36] *National Center for Fatality Review and Prevention* defines "vicarious trauma" as the inner experience of the professional resulting from empathetic engagement with a traumatized client and defines "secondary traumatic stress at the natural consequent behaviors and emotions resulting from knowing about a traumatizing event experienced by a significant other www.ncfrp.org

APPENDIX

APPENDIX A: 750 ILCS 62

Domestic Violence Fatality Review Act

(750 ILCS 62/1)
Sec. 1. Short title. This Act may be cited as the Domestic Violence Fatality Review Act.
(Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/5)
Sec. 5. Definitions. As used in this Act:
"Board" means the Illinois Criminal Justice Information Authority Board.
"Case eligible for review" means the case based upon a qualifying relationship that the regional review teams can review under Section 70.
"Confidential information" means:
(1) oral, written, digital, or electronic original or copied information, records, documents, photographs, images, exhibits, or communications (i) obtained by the Board, the Statewide Committee, or a regional review team from a public body for the purpose of addressing whether a case should be reviewed or for review of an eligible case under this Act while in the possession of the Board, Statewide Committee, or regional review team or (ii) in the possession of, provided to, obtained by, shared with, discussed by, created by, or maintained by the Board, the Statewide Committee, or a regional review team for the purpose of addressing whether a case should be reviewed or for review of an eligible case;
(2) any information that may be in the possession of the Board, Statewide Committee, or a regional review team that discloses the identities of victims, survivors, deceased, or offenders, or their family members, or by which their identities can be determined by a reasonably diligent inquiry; and
(3) any discussions, deliberations, minutes, notes, records, or opinions of the members of the Board, Statewide Committee, or a regional review team with regard to a case eligible for review to determine whether the case should be reviewed or a review of an eligible case. Confidential information does not mean nonidentifying or aggregate data information or analysis of data, and recommendations for community and systemic reform.
"Deceased" means anyone who died in connection with the actions of the offender, other than the victim, survivor, or offender.
"Domestic violence" means abuse as it is defined in Section 103 of the Illinois Domestic Violence Act of 1986 and paragraph (1) of subsection (b) of Section 112A-3 of the Code of Criminal Procedure of 1963.
"Domestic violence fatality review" means the deliberative process of multiagency and multidisciplinary teams that select eligible cases of domestic violence related fatalities and near-fatalities, and trace prior systemic interventions and

involvement to:

(1) examine barriers to safety, justice, self-determination, and equity;

(2) identify systemic and community gaps and consider alternate and more effective systemic responses; and

(3) develop recommendations for greater coordinated and improved community and systemic response and prevention initiatives to domestic violence in order to reduce the occurrence, frequency, and severity of domestic violence and prevent fatalities and near-fatalities.

"Familicide" means the killing of a family, including one or both parents and any children, by a family member.

"Fatality" means death caused by suicide or homicide.

"Near-fatality" means a death that nearly occurred by means of suicide or homicide, or an injury that could have resulted in death.

"Offender" means the person who inflicted domestic violence upon the victim and caused the victim's death, or the person who inflicted domestic violence upon a survivor. "Offender" includes a person who is deceased or alive, and is not required to have been the subject of a criminal investigation or prosecution.

"Regional domestic violence fatality review team" or "regional review team" means a multiagency and multidisciplinary team that selects and reviews eligible cases in accordance with Section 45.

"Statewide Committee" means the Ad Hoc Statewide Domestic Violence Fatality Review Committee of the Illinois Criminal Justice Information Authority Board.

"Survivor" means a person who experienced domestic violence and is alive.

"Victim" means the person who experienced domestic violence and is deceased, including by means of homicide or suicide.

(Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/10)

Sec. 10. Findings. The General Assembly finds and declares the following:

(a) Over 10,000,000 people in the United States experience physical domestic violence by a current or former partner each year.

(b) According to the Centers for Disease Control and Prevention of the United States Department of Health and Human Services, domestic violence accounts for 15% of all violent crime in the United States, and in this State, 42% of women and 26% of men have been harmed by an intimate partner in their lifetime.

(c) According to the U.S. Department of Justice, nationwide approximately 1 in 4 women and nearly 1 in 7 men experience severe physical violence resulting from domestic violence by an intimate partner at some point in their lifetime.

(d) The Illinois Criminal Justice Information Authority found that while the actual number of domestic violence incidents are underreported, in this State over 100,000 domestic violence offenses were reported to law enforcement each year between 2005 and 2017. Between 400,000 and nearly 600,000 orders of protection were filed each year between 2005 and 2017.

(e) From 2001 to 2018, State domestic violence agencies served nearly 800,000 adults and children, at an average of

57,684 clients per year, according to the Illinois Criminal Justice Information Authority.

(f) Domestic violence related homicides account for nearly 1 in 5 murders in the United States. According to the National Coalition Against Domestic Violence, female homicide victims are substantially more likely than male homicide victims to have been killed by an intimate partner. One in 3 female murder victims are killed by intimate partners. About 4% of male homicide victims were killed by an intimate partner. Nationwide, 72% of all homicide-suicides involved an intimate partner of which 94% of the murdered victims are women.

(g) The Illinois Criminal Justice Information Authority found that 15% of all homicides in this State are connected to domestic violence, such that at least 130 domestic violence related homicides occurred in this State during 2019. The Illinois Coalition Against Domestic Violence found that domestic violence fatalities occurred across at least 26 counties and included at least 7 children between July 2019 and June 2020.

(h) The Illinois Criminal Justice Information Authority found that the estimated financial impact of domestic violence homicides reported in this State during 2019 would total nearly $1.2 billion.

(i) Nearly all familicides involve a history of domestic violence.

(j) Effective responses to domestic violence and domestic violence related fatalities involve governmental, social services, and other systems in the community. A coordinated and consistent approach among community and system points of intervention are important to fostering the safety, stability, well-being and healing of survivors, and facilitating meaningful engagement with and sustainable accountability for offenders.

(k) Domestic violence transcends boundaries of race, religion, ethnicity, sexual orientation, gender identity, disability, culture, socioeconomic status, and geography.

(l) Domestic violence related fatalities and near-fatalities are experienced and responded to differently in historically marginalized communities. The communities and systems that victims, survivors, and offenders engage with in historically marginalized communities are typically those with power imbalances often rooted in systemic racism and oppression. Women of color, in particular, face additional barriers and gaps in accessing systemic and community responses aimed at reducing domestic violence related fatalities and near-fatalities.

(m) Over 200 domestic violence fatality review teams exist across the United States. Those teams are engaged in systems reform in order to improve the response to domestic violence and reduce and prevent domestic violence related fatalities and near-fatalities.

(n) Domestic violence related fatalities and near-fatalities can be prevented, and the use of regional domestic violence fatality review teams under the leadership, guidance, and technical assistance of the Statewide Committee in support of the regional teams is an effort toward such prevention.
(Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/15)

Sec. 15. Purposes. The purposes of this Act are:

(1) To create the Ad Hoc Statewide Domestic Violence Fatality Review Committee of the Illinois Criminal Justice

Information Authority Board to support domestic violence fatality review in this State.

(2) To establish regional domestic violence fatality review teams that engage in domestic violence fatality review in this State in order to foster systemic reform that aims to:

(A) reduce domestic violence and domestic violence related fatalities and near-fatalities in this State;

(B) address disparate and discriminatory practices and attitudes in the systems that interact with victims, survivors, and offenders; and

(C) reduce the cost on society of domestic violence and domestic violence related fatalities and near-fatalities by:

(i) reviewing selected cases eligible for review;

(ii) examining how systems have responded to individual experiences;

(iii) identifying gaps and barriers to effective and equitable responses that promote safety, stability, well-being, healing, and accountability; and

(iv) recommending strategies to improve community and systemic responses to domestic violence in order to foster points of intervention and support that are effective, coordinated, collaborative, consistent, just, and equitable.

(Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/20)

Sec. 20. Ad Hoc Statewide Domestic Violence Fatality Review Committee of the Illinois Criminal Justice Information Authority Board. The Ad Hoc Statewide Domestic Violence Fatality Review Committee of the Illinois Criminal Justice Information Authority Board is hereby created to provide guidance, leadership, technical assistance, research, and other supports to the regional domestic violence fatality review teams in carrying out their responsibilities under this Act, and to serve as a statewide resource for addressing domestic violence related fatalities and near-fatalities as well as other forms of abuse connected to domestic violence.

(Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/25)

Sec. 25. Membership of the Statewide Committee.

(a) The Statewide Committee shall consist of the following voting members and nonvoting ex officio members. The voting membership shall have racial, ethnic, gender, and geographic diversity and include the following:

(1) Four members of the General Assembly as follows: 2 members of the Senate, one member appointed by the President of the Senate and one member appointed by the Senate Minority Leader; 2 members of the House of Representatives, one member appointed by the Speaker of the House and one member appointed by the House Minority Leader.

(2) One member of the Governor's policy leadership team appointed by the Governor.

(3) Up to 20 public members designated by the Board Chairperson, including:

(A) Four members representing different regional review teams established under this Act, or at-large members in accordance with subparagraph (I) if 4

regional review teams have not yet been established at the time of appointment.

(B) Two members representing statewide, regional, or local organizations that advocate on behalf of survivors of domestic violence.

(C) Two members who are domestic violence survivors, one of whom may be a family member of a victim of domestic violence related fatality or near-fatality.

(D) Four social service providers representing different geographic areas of the State whose significant purpose is to provide services to survivors of domestic violence.

(E) Two social service providers who have significant experience working with domestic violence offenders.

(F) One physician licensed by the State whose State practice focuses on emergency medicine.

(G) One member of the Illinois Association of Chiefs of Police recommended by the Association Director or President.

(H) One member of the Illinois Sheriffs' Association recommended by the Association Director or President.

(I) Three at-large members who have substantial expertise and experience in the response to or prevention of domestic violence and domestic violence related fatalities and near-fatalities, or a related skill or expertise.

(b) The following, or a designee, shall serve as nonvoting ex officio members of the Statewide Committee: the Lieutenant Governor; the Secretary of Human Services; the Director of Public Health; the Attorney General; the Director of the Illinois State Police; the Director of Children and Family Services; the Director of the Illinois Criminal Justice Information Authority; the Director of the Office of the State's Attorney Appellate Prosecutor; the Director of the Office of the State Appellate Defender; and the Director of the Administrative Office of the Illinois Courts.
(Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/30)

Sec. 30. Statewide Committee terms of members; vacancies.

(a) Terms of the original voting members shall be staggered as follows: one-half shall be designated for 2-year terms and one-half shall be designated for 3-year terms. The length of the initial terms of each original voting member shall be drawn by lot at the first meeting held by the Statewide Committee and shall be recorded as part of the minutes of the meeting. After the initial term, each term shall be for 3 years. Length of terms of co-chairs, the secretary, and other officers coincide with Statewide Committee members' terms.

(b) The Board Chairperson shall designate members to fill vacancies in accordance with Section 25. A member whose term has expired may serve until a successor is appointed and accepts the appointment.
(Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/35)

Sec. 35. Statewide Committee quorum; meetings;

compensation.

(a) A quorum shall consist of 7 of the voting members of the Statewide Committee.

(b) The first meeting of the Statewide Committee shall occur by January 15, 2022. At the first meeting and at subsequent meetings when terms expire, the voting members shall elect 2 co-chairs and a secretary from among the voting members and may elect any other officers and other officers the voting members deem necessary to carry out the duties and responsibilities of the Statewide Committee.

(c) The Statewide Committee shall meet at least quarterly each State fiscal year. Additional meetings may be called by the co-chairs, after at least 7 days prior notice to the Statewide Committee members, or upon a written request signed by at least 5 Statewide Committee members to the co-chairs for a meeting request. Meetings may be held by a virtual meeting format during a public health emergency or disaster proclamation declared by the Governor, or at the discretion of the co-chairs.

(d) The meetings of the Statewide Committee are subject to the Open Meetings Act, except the following shall occur in closed executive sessions not subject to the requirements of the Open Meetings Act:

(1) discussions about personnel matters, confidential information as defined by Section 5, or cases eligible for review under Section 70; and

(2) conducting a domestic violence fatality review.

(e) The members shall receive no compensation for their service as members of the Statewide Committee, but may receive reimbursement for actual expenses incurred in the performance of their duties, subject to the availability of funds for that purpose.

(Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/40)

Sec. 40. Duties and responsibilities of the Statewide Committee.

(a) The Statewide Committee shall carry out the following duties and responsibilities:

(1) Subject to available funds, hire or assign a full-time Program Manager to carry out the duties and responsibilities of the Statewide Committee and the purposes of this Act. The Program Manager may hire additional staff, subject to the availability of funds for that purpose and subject to the approval of the Board. The Statewide Committee and regional review teams can operate without an acting Program Manager.

(2) Establish and maintain an Internet website.

(3) Prepare an annual budget that includes compensation for the Program Manager and staff, and financial reimbursement to regional review team members or teams for actual expenses incurred in the performance of their duties, subject to the availability of funds for that purpose.

(4) Facilitate the establishment and implementation of regional review teams across the State over 6 years after the effective date of this Act and collaboratively develop regional implementation plans and procedures.

(5) Provide training and ongoing technical assistance to regional review teams.

(6) Conduct, or assist in conducting, regional

domestic violence fatality reviews if requested by regional review teams in specific cases.

(7) Develop model confidentiality agreement, policies, and procedures for the use of regional review teams.

(8) Develop guidelines for the annual and biennial reports of the Statewide Committee and the regional review teams pursuant to this Section and Section 65.

(9) Appoint the initial members of each regional review team in accordance with Section 50 or designate a founding member of a regional review team to form the remainder of the regional review team in accordance with Section 50, unless the regional review team has been formed prior to the effective date of this Act or elects to form without the involvement of the Statewide Committee.

(10) Create a process whereby the Statewide Committee shall annually officially recognize regional review teams that are formed and operated in substantial compliance with the requirements of this Act, and nonrecognize those regional review teams that are substantially out of compliance after reasonable efforts are made by the Statewide Committee to engage the regional review team's co-chairs and other regional stakeholders to facilitate corrective actions to bring the regional review team into substantial compliance. A nonrecognized regional review team no longer has the authority to operate under this Act, however, nonrecognition would not preclude the formation of a new regional review team for the affected region.

(11) Review, analyze, maintain, and securely store regional review team reports and recommendations submitted by each regional review team as required by Section 65.

(12) File an annual report with the Governor and the General Assembly on the operations and activities of the Statewide Committee and of the regional review teams. The first report shall be due no later than March 1, 2023, and each subsequent report shall be due no later than March 1 of each year thereafter. The annual report shall be made publicly available on the Statewide Committee's Internet website.

(13) In even numbered years, file a substantive biennial report reviewing and analyzing the data and recommendations collected from the reports of the regional review teams. The biennial report shall include specific recommendations for legislative, systemic, policy, and any other changes to reduce domestic violence and domestic violence related fatalities and near-fatalities. The first report shall be due no later than April 1, 2024, and each subsequent report shall be due no later than April 1 of each even year thereafter. The biennial report shall be made publicly available on the Statewide Committee's Internet website.

(b) The Statewide Committee may carry out the following duties and responsibilities:

(1) After a vote by the majority of the voting Statewide Committee members or a decision by the co-chairs, establish one or more subcommittees or task forces to address specific issues regarding domestic violence, domestic violence fatalities and near-fatalities, domestic violence fatality review, or other related issues or subject matters, and may invite nonmembers with expertise on the issue or subject matter to serve on the

subcommittee or task force. Each subcommittee or task force shall be chaired by a member of the Statewide Committee.

(2) Advise the Governor and General Assembly on domestic violence, domestic violence fatalities and near-fatalities, domestic violence fatality review, data, and related topics or policies.

(3) Engage nonmember stakeholders in reviewing selected recommendations from the regional review teams in accordance with notions of fairness, equity, justice, due process, and practicality.

(4) Analyze data and identify trends related to domestic violence and domestic violence related fatalities and near-fatalities, and develop mechanisms for collecting, analyzing, and storing data that it collects or that is provided by the regional review teams.

(5) Adopt administrative rules in order to implement this Act.

(6) Subject to the availability of funding and approval by a vote of the majority of the Statewide Committee members, engage with and enter into contracts with a higher education institution or research entity for research, analysis, training, and educational purposes in furtherance of the purposes of this Act. Statewide Committee members or Statewide Committee staff shall not share information with contractors that would disclose the identities of victims, survivors, deceased, offenders, and their family members or by which their identities can be determined by a reasonably diligent inquiry.

(7) Support the implementation of systemic and community reform recommendations in order to advance the purposes of this Act.

(8) Adopt notice of funding opportunities, award grants, or enter into contracts with statewide or local organizations that advocate on behalf of survivors.

(9) Assign any responsibilities under this Section.

(10) Engage in any other activities that enable the Statewide Committee, its staff, and the regional review teams to carry out the purposes of this Act.

(Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/45)

Sec. 45. Regional domestic violence fatality review teams. A regional domestic violence fatality review team may be established within the boundaries of each judicial circuit. Once a review team is established within the boundaries of the judicial circuit, the team may establish one or more subteams to efficiently and effectively carry out the responsibilities of the regional review team and conduct domestic violence fatality review.

(Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/50)

Sec. 50. Membership of regional domestic violence fatality review teams. Each regional review team shall, at a minimum, include the following members from within the boundaries of the judicial circuit:

(1) a State's Attorney or Assistant State's Attorney;

(2) a public defender or other criminal defense lawyer;

(3) a coroner or medical examiner;

(4) a Sheriff, Deputy Sheriff, Chief of Police, or other

law enforcement officer with experience in domestic violence cases;

(5) a social service provider whose significant role is to provide services to survivors of domestic violence;

(6) a social service provider who has significant experience working with domestic violence offenders, if available in the region;

(7) a civil legal services lawyer or pro bono lawyer connected with a civil legal services program; and

(8) at least 2 of the following members: a public health official; a physician licensed by the State who specializes in emergency medicine; an advanced practice registered nurse; a licensed mental health professional such as a psychiatrist, clinical psychologist, licensed clinical professional counselor, or licensed clinical social worker; a circuit judge or associate judge; a clerk of the circuit court or other elected or appointed court official; an administrative law judge; an emergency medical technician, paramedic, or other first responder; a local or regional elected official or State legislator; a representative from the private business sector; a member of the clergy or other representative of the faith community; a public housing authority administrator or manager; an alcohol and substance abuse treatment professional; a probation or parole officer; a child welfare administrator, caseworker, or investigator; a public school administrator, teacher, or school support staff person licensed and endorsed by the Illinois State Board of Education; a representative of a State university or community college; a social science researcher or data analyst; a survivor or a family member or friend of a survivor or victim; a supervised child visitation or child exchange staff person; or a member of the public at-large who has the education, training, or experience to carry out the purposes of the regional review team.

(Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/55)

Sec. 55. Terms of regional review team members; vacancies.

(a) Terms of the original regional team members shall be staggered as follows: one-half of the initial members of the review team shall serve 2-year terms, and one-half of the initial members shall serve 3-year terms. The initial terms shall be drawn by lot at the first meeting of the review team. Following the initial terms, each member of the review team shall serve 3-year terms. No member shall serve more than 2 consecutive terms. Length of terms of co-chairs, the secretary, and other officers coincide with regional review team membership terms.

(b) Vacancies shall be filled by individuals who meet the requirements of Section 50 either by an application process or upon the recommendation of a member of the regional review team, and approved by a vote of the majority of the regional review team members. Vacancies occurring during a term shall be filled to complete the current term. Members whose terms have expired may continue to serve until a new member is appointed. Former members are eligible for reappointment after the expiration of at least 12 months following their last date of service.

(Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/60)

Sec. 60. Regional review team quorum; meetings; compensation.

(a) All members of the regional review team are voting members. Five members of the regional review team shall constitute a quorum.

(b) At the first meeting and at subsequent meetings when terms expire, the regional review team shall elect 2 co-chairs and a secretary and may elect any other officers the voting members deem necessary to carry out the duties and responsibilities of the regional review team.

(c) Each regional review team shall meet at least quarterly on a date and at a time and location determined by the co-chairs. Additional meetings may be convened by the co-chairs upon at least 7 days' prior written notice to the regional review team members, or upon the written request by at least 5 regional review team members to the co-chairs. Meetings may be held by virtual meeting format during a public health emergency or disaster proclamation declared by the Governor, or at the discretion of the co-chairs.

(d) Members of regional review teams are not entitled to compensation, but may receive reimbursement for actual expenses incurred in the performance of their duties, subject to the availability of State or local funds for such purposes. (Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/65)

Sec. 65. Duties and responsibilities of the regional domestic violence fatality review team.

(a) Each regional review team shall carry out the following duties and responsibilities:

(1) Form a regional review team in accordance with Sections 50 and 55.

(2) Report the names, professional titles, if applicable, and business contact information of each review team member to the Statewide Committee and inform the Statewide Committee in a timely manner of any changes to the membership of the regional review team.

(3) Create a secure system of maintaining and storing minutes, correspondence, and confidential information related to the regional review team and the domestic violence fatality reviews.

(4) Ensure that each member of the regional review team participates in trainings and technical assistance provided by the Statewide Committee and other professionals.

(5) Meet at least quarterly and maintain minutes of the business conducted by the regional review team at each meeting.

(6) Establish priorities for reviewing eligible cases that consider, in part, demographic and case type diversity.

(7) Based upon information available from a variety of sources, consider cases eligible for review in accordance with Section 70.

(8) Vote by a majority of the regional review team members to review a specific case based upon various factors, including the priorities by the regional review team.

(9) Invite and coordinate with the specific people designated in Section 50 who were involved in the selected domestic violence related fatality or near-fatality to

participate in the domestic violence fatality review. Members of the regional review team may also participate directly in the domestic violence fatality review.

(10) Execute a confidentiality agreement with each member of the regional review team and participant of a domestic violence fatality review in accordance with Section 75.

(11) Conduct a domestic violence fatality review of at least 2 eligible cases per calendar year, or, if the regional review team is unable to complete at least 2 reviews in a given year, provide an explanation to the Statewide Committee in the regional review team's annual report pursuant to paragraph (12).

(12) Prepare and submit an annual report to the Statewide Committee on the operations and activities of the regional review team in accordance with guidelines established by the Statewide Committee. The initial report shall be due on March 1 following the formation of the regional review team and subsequent reports shall be submitted no later than March 1 of each year thereafter.

(13) On odd numbered years, prepare and submit to the Statewide Committee a biennial report based upon the domestic violence fatality reviews of the corresponding time period. The biennial report shall include specific recommendations for legislative, systemic, policy, and any other changes to reduce domestic violence and domestic violence related fatalities and near-fatalities. These recommendations will be reviewed by the Statewide Committee according to Section 40 and will, in part, inform the Statewide Committee's biennial report on even years. Any information that identifies the victims, survivors, deceased, or offenders, or their family members or any information by which their identities can be determined by a reasonably diligent inquiry shall not be disclosed in any domestic violence fatality review biennial report or by any other means. Any narrative of nonidentifying facts will be limited to those essential and indispensable to the explanation of data analysis or a recommendation for reform. Aggregate and nonidentifying data, including demographics, may be included in the biennial report. The first biennial report shall be due no later than April 1, 2023, and each subsequent report shall be due no later than April 1 of each odd year thereafter.

(b) Each regional review team may carry out the following duties and responsibilities:

(1) Collect and analyze data from its regional area regarding cases eligible for review that were and were not reviewed by the regional review team for purposes of identifying patterns and making recommendations for community and systemic reforms.

(2) Subject to the availability of funding and approval by a vote of the majority of the regional review team members, engage with and enter into contracts with a higher education institution or research entity for research, analysis, training, and educational purposes in furtherance of the purposes of this Act. Regional review team members shall not share information with contractors that would disclose the identities of victims, survivors, deceased, offenders, and their family members or by which their identities can be determined by a reasonably diligent inquiry.

(3) Seek funds to support the operations of the

regional review team and the facilitation of domestic violence fatality reviews.

(4) Support the implementation of systemic and community reform recommendations in order to advance the purposes of this Act.

(5) Engage in any other activities that enable the regional review team to carry out the purposes of this Act.

(Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/70)

Sec. 70. Case eligible for review by regional review team. A case eligible for review shall include a fatality or near-fatality that occurred within the geographic boundaries of the judicial circuit covered by the regional review team and a qualifying relationship.

(a) A fatality or near-fatality includes at least one of the following:

(1) a homicide, as defined in Article 9 of the Criminal Code of 2012 in which:

(A) the offender causes the death of the victim, the deceased, or others; or

(B) the survivor causes the death of the offender, the deceased, or others;

(2) a suicide or attempted suicide of the offender;

(3) a suicide of the victim;

(4) a suicide attempt of the survivor;

(5) a familicide in which the offender causes the death of the victim and other members of the victim's family including, but not limited to, minor or adult children and parents;

(6) the near-fatality of a survivor caused by the offender;

(7) the near-fatality of an offender caused by the survivor; or

(8) any other case involving domestic violence if a majority of the regional review team vote that a review of the case will advance the purposes of this Act.

(b) A qualifying relationship between the offender and the victim or survivor shall include instances or a history of domestic violence perpetrated by the offender against the victim or survivor and at least one of the following circumstances:

(1) the offender and the victim or survivor:

(A) resided together or shared a common dwelling at any time;

(B) have or are alleged to have a child in common; or

(C) are or were engaged, married, divorced, separated, or had a dating or romantic relationship, regardless of whether they had sexual relations;

(2) the offender stalked the victim or survivor as described in Section 12-7.3 of the Criminal Code of 2012;

(3) the victim or survivor filed for an order of protection against the offender under the Illinois Domestic Violence Act of 1986 or Section 112A-2.5 of the Code of Criminal Procedure of 1963;

(4) the victim or survivor filed for a civil no contact order against the offender under the Civil No Contact Order Act or Section 112A-14.5 of the Code of Criminal Procedure of 1963;

(5) the victim or survivor filed for a stalking no

contact order against the offender under the Stalking No Contact Order Act or Section 112A-2.5 of the Code of Criminal Procedure of 1963;

(6) the offender violated an order of protection, civil no contact order, or stalking no contact order obtained by the victim or survivor;

(7) the deceased resided in the same household as, was present at the workplace of, was in the proximity of, or was related by blood or affinity to a victim or survivor;

(8) the deceased was a law enforcement officer, emergency medical technician, or other responder to a domestic violence incident between the offender and the victim or survivor; or

(9) a relationship between the offender and the victim, survivor, or deceased exists that a majority of the regional review team votes warrants review of the case to advance the purposes of this Act.

(c) A case eligible for review does not require criminal charges or a conviction.

(d) Any criminal investigation, civil, criminal, or administrative proceeding, and appeals shall be complete for a case to be eligible for review.

(Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/75)

Sec. 75. Confidentiality of regional review teams, information, and domestic violence fatality reviews.

(a) Meetings in which regional review teams are engaged in a domestic violence fatality review or in which confidential information is shared or disclosed are closed to the public and not subject to Section 2 of the Open Meetings Act.

(b) Unless otherwise available and lawfully obtained through another source pursuant to an applicable law that allows the disclosure and release of the information, confidential information in the possession of a regional review team is not:

(1) subject to disclosure by the Board, Statewide Committee, or a regional review team under the Freedom of Information Act, and this exemption does not extend to other public bodies unless otherwise provided by law;

(2) subject to subpoena and discovery under Section 2-402 of the Code of Civil Procedure, Article 115 of the Code of Criminal Procedure of 1963, or Illinois Supreme Court Rule 412; and

(3) admissible as evidence in any civil or criminal proceeding.

(c) Confidential information in the possession of a regional review team shall not be disclosed, released, or shared except as follows:

(1) among Statewide Committee members or Statewide Committee staff pursuant to the review of an eligible case;

(2) among regional review team members to determine whether a case is eligible for review or whether an eligible case should be reviewed;

(3) among regional review team members and participants during a domestic violence fatality review; or

(4) a regional review team votes to share confidential information for solely educational or research purposes, consistent with State or federal law,

as long as the information disclosed does not include the identities of victims, survivors, deceased, or offenders, or their family members or any information by which their identities can be determined by a reasonably diligent inquiry.

(d) All Statewide Committee members, Statewide Committee subcommittee members, Statewide Committee staff, all members of each regional review team, and any other person who participates in any manner in a review of an eligible case by a regional review team shall execute a confidentiality agreement based upon a model confidentiality agreement developed by the Statewide Committee or a document substantially similar to the Statewide Committee's model document that acknowledges and agrees to comply with the responsibility not to disclose or release confidential information. All executed confidentiality agreements shall be maintained by the Statewide Committee and by each regional review team, respectively.

(e) Members and staff of the Board, Statewide Committee, and members of a regional review team or participants of a domestic violence fatality review cannot be subject to examination or compelled to disclose or release confidential information in any administrative, civil or criminal proceeding, except for information that is otherwise available and lawfully obtained through another source pursuant to an applicable law that allows the disclosure and release of the information.

(Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/80)

Sec. 80. Access to records and information.

(a) Upon the oral or written request by a regional review team, records and oral or written information relevant to the purposes of domestic violence fatality review and to the responsibilities of the regional review team shall be provided free of charge by the following: State and local governmental agencies and officials; medical and dental providers; domestic violence offender and partner abuse intervention service providers; child care providers; and employers. Examples of records and oral or written information that may be requested include, but are not limited to: guardian ad litem reports; parenting evaluations; victim impact statements; mental health evaluations submitted to a court; probation information, presentence interviews, and reports; recommendations made regarding bail and release on own recognizance; child welfare reports and information; Child Advocacy Center reports and information; law enforcement incident reports, dispatch records, statements of victims, witnesses and suspects, supplemental reports, and probable cause statements; 9-1-1 call-taker's reports; correction and post-sentence probation or supervision reports; medical, hospital, and dental treatment records; school records and information; child care records and information; and employer records and information. The records and oral or written information may be provided for purposes of domestic violence fatality review without authorization of the person or persons to whom the records and oral or written information relate.

(b) The records and oral or written information described in this Section provided to a regional review team or in a domestic violence fatality review become confidential information as defined in this Act. The Statewide Committee, regional review teams, and any other participant in a domestic

violence fatality review shall maintain the confidentiality and shall not disclose or release the confidential information received, shared, or obtained.

(c) Nothing in this Act shall:

(1) limit public access to records or information that are lawfully available; or

(2) change the confidentiality and privilege of communications under the Illinois Domestic Violence Act of 1986, Section 8-802.1 of the Code of Civil Procedure, the Mental Health and Developmental Disabilities Code, 42 CFR 2.15, Section 40002(b)(2) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(b)(2)), 45 CFR 1370.4, and 28 CFR 94.115.

(d) The Statewide Committee or a regional review team may request and obtain information and records from outside the State by any available legal means.

(Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/85)

Sec. 85. Storage and destruction of confidential information.

(a) Following a domestic violence fatality review, participants who brought or provided confidential information may return to their possession the confidential information, shall not disclose or share the confidential information unless otherwise allowed by State or federal law or not otherwise privileged, and may destroy the confidential information unless otherwise prohibited by State or federal law. Confidential information subject to immediate destruction shall be destroyed as provided under the State Records Act or Local Records Act.

(b) Following a domestic violence fatality review, if one of the co-chairs of the regional review team is employed by a public or governmental agency, the co-chair of the regional review team will store at the place of employment or virtually on the confidential electronic database or other technology any remaining confidential information and will maintain the confidentiality of the information. If neither of the co-chairs of the regional review team are employed by a public or governmental agency, the co-chairs will designate a member of the regional review team employed by a public or governmental agency to store at the place of the member's employment or virtually on the member's confidential electronic database or other technology any remaining confidential information and will maintain the confidentiality of the information. One year following the submission of the regional review team's biennial report pursuant to Section 65, the co-chair or a designee shall destroy the confidential information.

(Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/90)

Sec. 90. Penalty for unlawful disclosure of confidential information. Anyone who discloses, receives, makes use of, or knowingly permits the use of any confidential information in violation of this Act commits a Class A misdemeanor.

(Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/95)

Sec. 95. Immunity. If acting in good faith, without

malice, and within the protocols established by the Statewide Committee and the regional review team, members of the Statewide Committee and regional review team, and anyone participating in a domestic violence fatality review shall have immunity from administrative, civil, or criminal liability for an act or omission related to the participation in a domestic violence fatality review, notwithstanding Section 90.
(Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/900)
Sec. 900. (Amendatory provisions; text omitted).
(Source: P.A. 102-520, eff. 8-20-21; text omitted.)

(750 ILCS 62/905)
Sec. 905. (Amendatory provisions; text omitted).
(Source: P.A. 102-520, eff. 8-20-21; text omitted.)

(750 ILCS 62/995)
Sec. 995. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.
(Source: P.A. 102-520, eff. 8-20-21.)

(750 ILCS 62/999)
Sec. 999. Effective date. This Act takes effect upon becoming law.
(Source: P.A. 102-520, eff. 8-20-21.)

Appendix B: DVFRC Institutional Analysis

Illinois Criminal Justice Information Authority
Tanner-Miller Domestic Violence Initiatives
Domestic Violence Fatality Review and Colton's Task Force
Institutional Analysis

Through your membership on the Statewide Domestic Violence Fatality Review Committee or on Colton's Task Force, you are being asked to participate in this institutional analysis. This institutional analysis aims to capture the domestic violence interventions, programs, and initiatives in Illinois. The responses on these forms will be used to compile a comprehensive picture of the public and private as well as systemic and community-based responses to domestic violence in Illinois. Please complete this form in the capacity of your role and on behalf of the agency, organization, or field that your membership reflects. You may use bullet points.

1. Describe the domestic violence related interventions, programs, and/or initiatives of your agency or organization.

2. if any, are the geographic boundaries or priorities of these interventions, programs, and/or initiatives?

3. What is the source of funding for these domestic violence related interventions, programs and/or initiatives?

4. What policies or statutes authorize or guide your agency or organization's domestic violence related interventions, programs and/or initiatives?

5. What gaps and challenges does your agency or organization identify or experience in responding to domestic violence?

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