
ANNUAL REPORT



DOMESTIC VIOLENCE FATALITY REVIEW

2023



ILLINOIS COALITION
AGAINST DOMESTIC VIOLENCE

ICJIA

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We are especially grateful for the continued leadership of Amanda L. Vasquez, for her time commitment, problem solving, and dedication in helping to move the work of the fatality review initiative forward.

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Illinois General Assembly

ILLINOIS STATEWIDE DOMESTIC VIOLENCE FATALITY REVIEW COMMITTEE

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*Denotes member who served a
partial term

INTRODUCTION

The Illinois Statewide Domestic Violence Fatality Review Committee (DVFRC) was established as an Ad Hoc Committee of the Illinois Criminal Justice Information Authority Board in 2021 pursuant to the Illinois Domestic Violence Fatality Review Act.¹

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 fatalities² and near fatalities.³ DVFRC began meeting in January 2022 and continues to meet regularly to carry out its mandate.

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 incidents. Fatality reviews are conducted by multi-disciplinary, multiagency 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, friends, or neighbors; 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, suicide, 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 that will improve communication, collaboration, and coordination amongst government and service providers, and support the implementation of those recommended changes. More than 200 domestic violence fatality review teams exist across 45 of 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

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

importance of fatality review and passed legislation to create a formalized process for reviewing domestic violence fatalities in the State.

The 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 across the State and 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 the communication, collaboration, and coordination of 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 cases from various perspectives can help to identify areas of breakdown between these entities.⁵ DVFRC is mandated with compiling policy and system recommendations from each regional review team and making recommendations to the Governor and the General Assembly every other year. DVFRC is also 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 for bringing safety, stability, well-being, and healing to survivors and facilitating meaningful engagement with and sustainable accountability for offenders.

⁴ 750 ILCS 62/10m

⁵ 750 ILCS 62/10j

OPERATIONS AND ACTIVITIES

STATEWIDE COMMITTEE: In its second year, DVFRC continued its operations and activities:

- **DVFR Committee:** Filled DVFRC member vacancies and contracted with ICADV by and through the Illinois Criminal Justice Information Authority (ICJIA) to provide staffing for the DVFRC
- **Meetings:** Held five DVFRC meetings and set the 2024 DVFRC meeting schedule
- **Training:** Held a training for DVFRC members on vicarious trauma for persons working in fields involving fatalities and held a training on traumatic brain injury as it relates to domestic violence
- **Data source analysis:** Tracked and analyzed various print media source reports of domestic violence incidents.
- **Administrative:** Worked with ICJIA to develop and launch the DVFRC website

REGIONAL REVIEW TEAMS: DVFRC members and staff worked to build a foundation and structure for the establishment of regional domestic violence fatality review teams throughout Illinois.

- **Recruitment:** Developed materials for the recruitment of regional reviews teams and regional team members, made informational presentations, and held recruitment meetings
- **Onboarding:** Assisted pioneer teams with identifying and inviting review team members, drafted a guidebook of policies and procedures, created a confidentiality agreement for team members and guests, provided informational overview presentation for each site, and assisted teams in filling out team roster sheets
- **Training:** Provided teams with an overview of the domestic violence fatality review process used across the world and two mock review exercise sessions with the National Domestic Violence Fatality Review Initiative trainers

ORGANIZATIONAL OVERVIEW

Illinois Criminal Justice Information Authority

The 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. The Statewide Domestic Violence Fatality Review Committee (DVFRC) is an Ad Hoc Committee of the ICJIA Board. Additionally, ICJIA contracts 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.

Statewide Domestic Violence Fatality Review Committee

Officers

Sara Block and Megan Alderden were elected co-chairs by the voting members in 2022.

They both continue to serve as co-chairs for the DVFRC.

Jenny Schoenwetter was elected secretary in 2022 and continues to serve in that role.

Committee Members

DVFRC member appointments began in January 2022 in accordance with the terms of the Act.¹ DVFRC membership consists of 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. Half of DVFRC members' terms will be up for reappointment in the Spring of 2024.

All DVFRC members serve without compensation but may be reimbursed for actual expenses incurred, such as travel and printing. No member requested expense reimbursement in 2023.

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

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

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

Committee Funding and Staff

ICJIA received a \$350,000 line-item appropriation from the State General Revenue fund to support the DVFRC. With these funds, ICJIA contracted with the Illinois Coalition Against Domestic Violence (ICADV) to provide staffing and support to the DVFRC and its regional review teams, as allowed by the Act.⁸

The Domestic Violence Fatality Review Act tasks DVFRC with hiring a full-time manager to carry out the duties and responsibilities of the 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.¹ The contract with ICADV was executed in July 2023.

To fulfill the terms of its contract, ICADV employs Samantha A. Gaddy to serve as Director of Fatality Review and Stacey D. Garoutte to serve as Fatality Review Program Coordinator. These staff are full-time and housed in the ICADV offices in Springfield. ICADV provides additional staff as needed for communications, information technology, and other Committee operations.

COLLABORATIVE PARTNERSHIPS

Illinois Coalition Against Domestic Violence (ICADV)

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. The organization provides training, public education, outreach, and technical assistance. ICADV also provides staffing and administrative support to DVFRC.

National Domestic Violence Fatality Review Initiative (NDVFRI)

The NDFVRI provides the DVFRC and regional review teams with technical assistance as they review domestic violence deaths. This assistance supports the DVFRC objectives of preventing those deaths in the future, preserving victim's safety, holding accountable both the perpetrators of domestic violence and the multiple agencies and organizations that come into contact with the parties.¹⁰

⁸ 750 ILCS 62/40b-8

⁹ *Id.* §. 40

¹⁰ National Domestic Violence Fatality Review Initiative, <https://ndvfri.org/>

STATEWIDE COMMITTEE MEETINGS

The DVFRC operates with a commitment to regular and substantive engagement. Per its mandate, the DVFRC is required to convene at least quarterly.

Throughout the 2023 calendar year, the DVFRC held five meetings. The meetings occurred every other month on the third Tuesday of the month from January to September. The Committee was also scheduled to meet in November; however, that meeting was cancelled to allow additional time to hold a training presentation for regional review teams that month.

The meeting schedule was established by DVFRC members through a poll of available times followed by a majority vote.

Meeting Structure

Meetings of the Domestic Violence Committee are subject to the Open Meetings Act, subject to the exceptions identified in sections 35(d) and 75(a) of the Domestic Violence Fatality Review Act. The five meetings were hosted by the ICADV via Zoom. Each meeting was audio and video recorded. Those recordings are stored at ICJIA, and meeting minutes are posted 10 days after the approval of such minutes by the public body. Closed executive sessions are held to discuss personnel matters, confidential information as defined in the Act,¹² and cases eligible for review.¹³ No executive session proceedings were held by DVFRC in the second year. At least seven voting members must be present to achieve a quorum.

¹¹ 5 ILCS 120

¹² 5 ILCS 120/2(c)(38)

¹³ *Id.* § 70

The Committee met remotely five times in 2023. Each meeting included a mission moment, administrative updates from staff, and discussion or training in preparation for regional review team establishment.

2023 Committee Meetings

January 17, 2023

- o Discussion: DVFR Website and Logo
- o Discussion: Process for reviewing policies
- o Discussion: Regional review team start up, outreach, and recruitment

March 21, 2023

- o Data update
- o Regional review team updates
- o Discussion: Confidentiality Agreement draft

May 16, 2023

- o Training: Vicarious Trauma led by Cathy Cave of the National Center on Domestic Violence, Trauma, and Mental Health

July 18, 2023

- o Regional review team updates and planning
- o Discussion: Onboarding first cohort of review teams
- o Discussion: Regional review team updates

September 19, 2023

- o Training: Traumatic Brain Injury led by Dorothy Kozlowski, Ph.D., and Sonya Crabtree-Nelson, Ph.D., LCSW, of DePaul University
- o Discussion: Defining near-fatality
- o Regional review team updates

Mission Moment

DVFR 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 and to remind DVFR of its purpose and mission. DVFR 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. Members also talked about non-traditional cases involving other relationships defined in the Illinois Domestic Violence Act. They noted that non-traditional cases may have complicated circumstances for regional teams to sort through as they begin to look at specific fatalities and near fatalities. Committee members also discussed recent cases involving charges filed against survivors who kill their abusers, despite those victims' well-documented histories of abuse.

Committee Trainings

In 2023, the DVFRC was presented with two comprehensive trainings aimed at enhancing DVFRC member knowledge of the Committee. These training sessions served a dual purpose. First, they aimed to benefit the Committee members by providing them with valuable information and skills. Second, these training sessions were video recorded and are intended to be used as training for the regional review teams.

Vicarious Trauma

ICADV contracted with Cathy Cave, Senior Training Consultant with the National Center on Domestic Violence, Trauma, and Mental Health, to provide training on vicarious trauma to the DVFRC. Cathy Cave provided a presentation and led discussion during the DVFRC's May 2023 meeting. The presentation included an overview of vicarious trauma, how vicarious trauma can impact a person's work, and best practices and coping mechanisms for dealing with vicarious trauma.

The Committee convened to explore ways to improve the support and well-being of regional review team members. Through thoughtful discussion, two key ideas emerged as potential solutions to address these concerns.

Implementing Opening and Closing Rituals

The DVFRC discussed the importance of opening and closing rituals that the regional review teams should adopt into practice once they begin reviews. These rituals serve the purpose of creating a sense of unity, purpose, and mindfulness among team members. This ritual would help ground regional review team members in their work, reminding them of the importance of their mission and the impact it has on the communities they serve.

Resources

The Committee also discussed the importance of regional review team members being made aware of available vicarious trauma resources and supports.

Traumatic Brain Injury

Co-chair Megan Alderden invited her colleagues Dorothy Kozlowski, Ph.D., and Sonya Crabtree-Nelson, Ph.D., LCSW, both from DePaul University, to provide training on traumatic brain injury and its intersection with domestic violence to the DVFRC in September 2023. The presentation included an overview of traumatic brain injury and its intersection with domestic violence.

Near Fatalities

The Committee then held a brief discussion on incidents that result in significant survivor injuries and near fatalities. Specifically, they discussed “near fatality” as defined in the Act, which is “a death that nearly occurred by means of suicide or homicide, or an injury that could have resulted in death.” The Committee considered other definitions for the term near-fatality, including more specific definitions used by other states. The group decided to not offer additional guidelines and to maintain the current and broad definition of “near fatality” as it is listed in the Act. This was decided to allow flexibility for regional teams to decide which cases should fall under this definition in their area. If regional teams encounter difficulties in determining whether a case fits the definition, the Committee is open to revisiting the issue in the future.

DATA AND STATISTICS

Homicide Report

The DVFR staff at the Illinois Coalition Against Domestic Violence (ICADV) tracked homicide data, as reported through print media sources, across Illinois throughout the year. This data has historically been collected by ICADV and is used to create a yearly homicide report for use by the DVFRC and the public.

The *2022 Homicide Report* was released in October 2023 in conjunction with National Domestic Violence Awareness Month. The *2023 Homicide Report* will be released in October 2024.

ADMINISTRATIVE FUNCTIONS

Website Development

The DVFRC collaborated with ICJIA staff to create a website, as required by the Act. The website includes meeting dates, agendas and minutes, the DVFRC's 2022 Annual Report, and member information. The website serves as a resource for regional review teams. See: <https://dvfr.illinois.gov/>.

Recruitment Materials

In 2023, the DVFRC and its staff developed materials to support in the recruitment of regional teams, including:

FAQs for Regional Teams

This resource was designed to answer questions commonly asked when meeting with prospective regional teams and to provide general information about the fatality review process.

Team Member Invitation Template

A template was developed for regional teams to use when inviting prospective team members to join a DVFR team.

PowerPoint Presentation

Co-chair Block created a PowerPoint presentation designed for DVFRC members and staff to use when providing an overview of the DVFR process to prospective review teams and other groups interested in the DVFR process. This presentation explains the purpose, goal, and operation of DVFR teams to new or prospective members.

Policies and Procedures

Guidebook

In 2023, the DVFRC staff created a guidebook of policies and procedures, titled *Illinois Domestic Violence Fatality Review: A Comprehensive Guide for Illinois Regional Review Teams*. This guidebook was developed using information learned from other states and mandates within the Domestic Violence Fatality Review Act to provide guidance to review teams as they plan, prepare, and review cases.

This guidebook was developed by DVFRC and staff with input from the DVFRC co-chairs, the ICJIA Research and Analysis Unit, and the NDVFR team. Serving as a living resource for years to come,

the guidebook will continue to be refined as the work of the review teams reflect a need for updates and modifications. Anticipated distribution is in March 2024.

Confidentiality Agreements

The DVFRC developed a *DVFC Confidentiality Agreement* for regional team members and a *DVFC Guest Confidentiality Agreement* to be used by guests participating in a case review.

Quarterly Report for Regional Review Teams

The DVFRC created a quarterly reporting matrix for regional review teams to communicate their progress and document when assistance may be needed to ensure compliance with mandates outlined in the Act.

Training Library

The DVFRC began developing a set of online training materials to be used by the regional review team members, including pre-recorded PowerPoint presentations that expand on the information provided in the *DVFC Guidebook*. Topics will include case selection, reporting, conducting interviews, confidentiality, and fatality review process steps.

ESTABLISHMENT OF REGIONAL REVIEW TEAMS

DVFC's main function is the establishment of domestic violence regional review teams throughout the state. Over the last year, DVFC has spent most of its meeting time planning to establish the five regional pioneer teams, drafting and planning the implementation of policies and procedures for regional teams, and developing a process to onboard regional team members. Tailored to address the specific needs and nuances of their respective regions, each team embodies a collaborative effort guided by DVFC members.

Key Meetings and Activities

Lake County Domestic Violence Fatality Review Team Presentation (March 16th, 2023):

Co-chair Block delivered a PowerPoint presentation at the Lake County Domestic Violence and Sexual Assault Coordinating Council meeting, providing in-depth information on the background, structure, purpose, and mission of domestic violence fatality review.

Madison County Onboarding Meetings (May 5, August 17, and September 21, 2023):

DVFR staff engaged with Madison County in three meetings, solidifying their commitment as a pioneer site. Discussions included an overview of fatality review and recruitment plans.

Kankakee County Domestic Violence Fatality Review Team Presentation (July 7, 2023):

Co-chairs Block and Alderden, along with DVFR co-chair secretary Schoenwetter and staff, presented an onboarding PowerPoint presentation to Kankakee County's review team members, outlining key details and objectives.

Will County Domestic Violence Fatality Review Team Presentation (August 19, 2023):

Co-chair Block and staff presented to the gathered Will County review team's membership. Coordinated efforts by Amirrah Abou-Youssef, Coordinator at the Family Violence Coordinating Council, who led the efforts in gathering the team's members, setting in motion onboarding plans.

Meeting with Jennifer Cacciapaglia and Team (November 7th, 2023):

DVFR staff convened with Executive Director Jennifer Cacciapaglia, Deputy Director Andrea Carlson, and staff member Megahan Brechon, all from the Mayor's Office on Domestic and Community Violence Prevention, in Rockford, to discuss recruitment and onboarding plans, highlighting a collaborative approach.

Training

The following trainings, facilitated by Mark Perkovich, Assistant Director at the National Fatality Review Initiative, were provided to the pioneer teams. This served as the first step in the onboarding process.

- *State of the Art: The Illinois Model – Mark Perkovich, Assistant Director National Fatality Review Initiative – November 30, 2023*
- *Mock Review - Mark Perkovich, Assistant Director National Fatality Review Initiative – December 11th, 2023*

CHALLENGES AND LESSONS LEARNED

Regional Team Funding

A significant challenge faced by the DVFRC during the year pertained to the lack of available funding to provide administrative support for regional teams. DVFRC frequently received inquiries regarding funding for administrative support when assessing the interest of new teams. This limitation was also cited by prospective sites as a reason to decline participation in the domestic violence fatality review initiative. The current pioneer teams are making use of alternative options such as interns, agency volunteers, and seeking out funding for support.

LOOKING FORWARD

DVFRC Meetings

DVFRC will shift its meetings from bi-monthly in 2023 to quarterly in 2024. Quarterly meetings will be hosted by ICADV through the Microsoft TEAMS platform and are scheduled to take place on the following dates:

- February 20, 2024
- May 21, 2024
- August 20, 2024
- November 19, 2024

Meeting notices, agendas, and minutes can be found on the DVFR website at: <https://dvfr.illinois.gov/>.

2024 Regional Team Recruitment

Staff are developing a recruitment plan for the second cohort of regional teams. Initial first-year teams self-identified their interest in being the first round of pioneer teams and a few regions have expressed interest in being a part of the next cohort. Efforts to recruit new teams are anticipated to begin after pioneer sites are fully onboarded and have reviewed their first case.

(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.

"Familiicide" 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.)

ILLINOIS DOMESTIC VIOLENCE
FATALITY REVIEW
CONFIDENTIALITY AGREEMENT

Pursuant to the Illinois Domestic Violence Fatality Review Act, 750 ILCS 62/75 (d), all Statewide Committee and subcommittee members and staff, all members of each regional review team, and any other person who participates in any manner in a domestic violence fatality review shall execute this confidentiality agreement that acknowledges and agrees to comply with the responsibility not to disclose or release confidential information.

I, _____, as a member or guest of the _____ Domestic Violence Fatality Review Committee/Team, acknowledge that the effectiveness of the fatality review process is conditioned on the confidentiality of the review process and the information shared.

I understand and agree that all information pertaining to survivors, victims, witnesses, and their families will be respected and held in confidence.

Thus, I agree that I will not use or disseminate any confidential information or materials obtained or learned during a domestic violence fatality review for any reason other than for that which it was intended as part of the review process, pursuant to Illinois law.

I understand and agree to comply with the following requirements:

DOMESTIC VIOLENCE FATALITY REVIEW CONFIDENTIALITY DEFINITION
(750 ILCS 62/5)

I understand that, for the purposes of this agreement, “confidential information” includes any oral, written, digital, or electronic original or copied information, records, documents, photographs, images, exhibits, or communications created or maintained for the purpose of addressing whether a case should be reviewed or for use in the review of a case.

I understand that confidential information also includes any information that discloses the identities of any victims, survivors, offenders, or their family members, or information by which their identities can be determined by a reasonably diligent inquiry.

I understand that confidential information includes any discussions, deliberations, minutes, notes, records, or opinions of the members of any domestic fatality review committee or team.

I understand that “confidential information” does not mean non-identifying or aggregate data information or analysis of data, or recommendations for community and systemic reform.

CONFIDENTIALITY OF DOMESTIC VIOLENCE REGIONAL REVIEW TEAMS,
INFORMATION, AND DOMESTIC VIOLENCE FATALITY REVIEWS
(750 ILCS 62/75)

I understand that the regional review teams are not subject to the Open Meetings Act. 750 ILCS 62/75(a)

I understand that confidential information is not subject to disclosure by a domestic violence fatality review team or committee under the Freedom of Information Act. 750 ILCS 62/75(b)(1)

I understand that confidential information in possession of a domestic violence fatality review team or committee is not subject to subpoena and discovery under 725 ILCS 5/2-402 or Illinois Supreme Court Rule 412.

I understand that confidential information in possession of a domestic violence fatality review team or committee is not admissible as evidence in any civil or criminal proceeding and that any confidential information admissible as evidence prior to its use in a domestic violence fatality review remains admissible.

750 ILCS 62/75(b)(3)

I understand that domestic violence fatality review team members, committee members, or staff cannot be subject to examination or compelled to disclose or release in any administrative, civil or criminal proceeding confidential information learned or obtained as a result of their participation in domestic violence fatality review. 750 ILCS 62/75(e)

UNLAWFUL DISCLOSURE OF CONFIDENTIAL INFORMATION; PENALTIES
(750 ILCS 62/90)

I understand that the unauthorized disclosure of confidential information may result in exclusion from domestic violence fatality review proceedings and may result in civil or criminal liability.

I understand that, pursuant to 750 ILCS 62/90, the penalty for unlawful disclosure of confidential information is a Class A misdemeanor.

I agree that, in the event of my departure from the Fatality Review Committee or team, I will keep confidential all information related to any and all reviews during my participation on the Committee or team.

This confidentiality agreement is made effective as of _____ by

_____ and sets forth an entire understanding of confidentiality as it relates to Domestic Violence Fatality Review. I declare in the event of my departure from the Illinois Domestic Violence Fatality Review initiative, I will keep confidential all information related to any and all reviews during my participation with Domestic Violence Fatality Review.

_____ Signature

_____ Printed

Name and Title

Agency

Circuit

Please email this completed form to FatalityReview@ilcadv.org and to your regional team lead(s). Please keep a copy for your records.

806 S. College St.
Springfield, IL 62704

217.789.2830

FatalityReview@ilcadv.org

<https://dvfr.illinois.gov>



DOMESTIC VIOLENCE FATALITY REVIEW

FAQ's

What is the Domestic Violence Fatality Review Initiative/Act?

The Domestic Violence Fatality Review Initiative in Illinois was borne out of a collaboration between policy makers, city and state elected officials, researchers, and advocates across the State in an effort to reduce and prevent domestic violence fatalities and near fatalities through case analysis, review, and reform. Through this collaboration, the *Illinois Domestic Violence Fatality Review Act (750 ILCS 62)* was drafted, establishing a formalized process for domestic violence fatality review. The Act was signed into law in August 2021.

What is the purpose of Domestic Violence Fatality Review (DVFR)?

The primary purpose of DVFR under the Act are to:

- 1) reduce domestic violence, domestic violence related fatalities and near fatalities in this State;
- 2) address disparate and discriminatory practices and attitudes in the systems that interact with domestic violence victims, survivors, and offenders;
- 3) reduce the cost on society of domestic violence and domestic violence related fatalities; and
- 4) improve community and systemic responses to domestic violence by fostering points of intervention and support that are effective, coordinate, collaborative, consistent, just, and equitable

How is the DVFR initiative organized?

The DVFR Act creates the Statewide Domestic Violence Fatality Review Committee - a 35-member multi-disciplinary, multiagency group - as a committee of the Illinois Criminal Justice Information Authority Board. The role of the Statewide Committee is to establish and implement regional review teams across the State and to provide training, guidance, and technical support to those teams. The Statewide Committee will also collect and compile policy recommendations from regional teams and report them to the Governor and General Assembly every two years.

The Statewide Committee has two co-chairs - elected by the members, and two full-time staff members - a Director and a Project Coordinator employed by the Illinois Coalition Against Domestic Violence. A member of the Statewide Committee and/or Statewide Committee staff will act as a liaison between the Statewide Committee and regional review teams.

What is a regional review team?

A regional review team is a multiagency and multidisciplinary group that forms within the boundaries of judicial districts throughout the State to review domestic violence fatalities and

near fatalities within their jurisdiction. Although the regions are organized by circuit court boundaries, review teams may elect to divide into sub-teams that are county specific, jurisdiction specific, or neighborhood specific, for example.

What is the role of the regional review team?

The regional review team's role is to review individual cases of domestic violence that resulted in a fatality or near fatality and trace prior systemic interventions and community outreach to:

- 1) examine how systems have responded to individual experiences;
- 2) examine barriers to safety, justice, self-determination, and equity;
- 3) identify both systematic and community gaps and barriers in communication, coordination, and response;
- 4) identify gaps and barriers to effective and equitable responses that promote safety, stability, well-being, healing and accountability;
- 5) consider alternate and more effective responses;
- 6) develop recommendations for greater coordinated and improved systematic response; and
- 7) develop policy recommendations and/or prevention initiatives to address domestic violence.

What is a pioneer team?

The first cohort of regional teams are referred to as pioneer teams. The pioneer cohort will include between four and seven sites that have agreed to form in this early group and will be among the first teams to review cases. The Statewide Committee will work closely with the pioneer sites as they encounter challenges and find solutions that will help to inform and guide the policy-making process for future regional teams.

How are teams formed? Who will gather all the team players?

Team formation and the designation of a team lead will be jurisdiction specific. In some jurisdictions, a person may volunteer to lead and begin convening a group. For instance, specific agencies have taken the lead in gathering a group of professionals for formation. In other areas, DVFR staff have worked with the local Family Violence Coordinating Council. DVFR staff can also provide support and assistance in recruiting members as needed.

Who serves on a regional team?

The DVFR Act requires that certain members, or their designee, be a part of each regional team. Some examples are listed below. For the full list, please see 750 ILCS 62/50.

- State's Attorney/ASA
- Public Defender/APO
- Coroner/medical examiner
- Sheriff, Deputy Sheriff, Chief of Police, or other law enforcement
- Social service provider for domestic violence victims
- Social service provider for domestic violence offenders, if available in region
- Civil legal services lawyer
- *At least two of the following:* public health official, physician, nurse, mental health professional, circuit judge, elected official, paramedic, clergy, public housing official, alcohol or substance abuse treatment provider, child welfare professional, public-school administrator, representative from state college, researcher, survivor or family member of a victim/survivor

How will teams know which members to invite to the full team vs. on an as needed basis?

It is important to distinguish which members are necessary for a permanent position for your community. The list of “two or more members” set out in 750 ILCS 62/50 (above) allows for a very diverse team, however it is not necessary to have each of those professionals sit on the full team at every review. It may be beneficial for some of those professionals to sit on the full team and for some of them to be invited to a specific case. For example, it may be vital to have a mental health expert or physician hold a permanent position on the full team if drug use is high in the community and to invite a school official only if there are children involved or impacted. The invitation of members that are not required is entirely up to how the specific team wants to be structured, as long as the requirements set out in 750 ILCS 62/50 are met.

If one member is unavailable, can another representative of that organization be sent in their place?

Yes, this is encouraged. Though all original team members will receive case review training provided by the Statewide Committee, it is important to have the perspective of an office or organization in the review of each case. Each member and any visiting reviewers or guests are required to sign a confidentiality agreement upon discussion of any identifying case information.

Will teams have support?

Yes, the Statewide Committee and its staff are available for training, research, technical assistance, guidance, and some administrative support (750 ILCS 62/20). The administrative support of each team will be specific to the way that each team decides to organize itself. Team members may choose to divide duties, recruit an intern, solicit assistance from an established group coordinator or team lead or seek funding to carry out the work of the team, if funding is available. Members serving as liaisons between the Statewide Committee and the regional team may also be willing to provide additional support.

Will teams receive training?

Once team members have been identified, regional teams will be trained to conduct fatality reviews of individual cases. This may include a mock case review and/or webinar, vicarious and secondary trauma, and other training the team or Statewide Committee may deem necessary. Training will be provided through and funded by the Statewide Committee.

How many times does the team have to meet? Can meetings be virtual?

Teams will need to meet **at least** quarterly and as many times as necessary to be able to establish a timeline and walk through the facts and circumstances of each case. There is nothing prohibiting teams from meeting virtually, though occasional in-person meetings are encouraged and may be necessary in some areas in order to appropriately distribute case material.

How many and what kind of cases are regional teams required to review?

Regional DVFR teams are required to review a minimum of two eligible cases per year. Cases eligible to review under the Act include a fatality or near-fatality that includes at least one of the following:

- **Homicide:** victim's death was caused by offender, or offender's death was caused by survivor
- **Suicide:** offender, survivor, or victim attempted or completed suicide
- **Familicide:** deaths of victim and other members of victim's family were caused by offender
- **Near-fatality:** survivor caused the near fatality of offender, or offender causes the near fatality of survivor
- **Other cases:** any other case involving domestic violence by a majority vote of regional review team members if it advances the purposes of the Act (750 ILCS 62/62a-5)

Are there reporting requirements?

Regional teams will draft biennial reports and reform recommendations to send to the Statewide Committee. The Statewide Committee will review and analyze the recommendations and any data for trends, strengths, and vulnerabilities; and report the recommendations to the Governor and General Assembly on a biennial basis.

The Statewide Committee will share model policy and procedure guidelines with each team, assist in any case reviews at the regional team's request, and collect annual reports.

What about confidentiality?

Domestic violence fatality reviews are confidential (750 ILCS 62/75). Fatality review often necessitates possessing confidential information. Each regional team member participating in any portion of a case review must sign a confidentiality agreement with copies to be housed by the Statewide Committee. Confidential information held by a regional review team is not subject to disclosure by the regional team under the Freedom of Information Act, subpoena, or discovery, nor is it admissible as evidence in any civil or criminal proceeding. Review team members cannot be compelled to release or disclose any confidential information learned or obtained under their official duties as part of a domestic violence fatality review team under the DVFR Act. Meetings of a DVFR team are exempt from the Open Meetings Act.

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