

No. 25. An act relating to the Domestic Violence Fatality Review Commission.

(H.27)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 15 V.S.A. § 1140 is amended to read:

§ 1140. DOMESTIC VIOLENCE FATALITY REVIEW COMMISSION

(a) The Domestic Violence Fatality Review Commission is established within the Office of the Attorney General, in consultation with the Council on Domestic Violence, for the following purposes:

(1) to examine the trends and patterns of domestic violence-related fatalities and near-fatal instances of domestic violence in Vermont;

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

(3) to educate the public, service providers, and policymakers about domestic violence fatalities and near-fatal instances of domestic violence and strategies for intervention and prevention; and

(4) to recommend policies, practices, and services that will encourage collaboration and reduce fatalities and near-fatal instances of domestic violence due to domestic violence.

(b) The Commission is intended to reflect communities throughout Vermont and appointing authorities shall strive to appoint persons from different racial and ethnic backgrounds, persons with a disability, and persons

who identify as LGBTQ+. The Commission shall comprise ~~17~~ 23 members,

consisting of the following:

- (1) the Attorney General or designee;
- (2) the Commissioner of Health or designee;
- (3) the Commissioner for Children and Families or designee;
- (4) the Commissioner of Corrections or designee;
- (5) the Commissioner of Public Safety or designee;
- (6) the Chief Medical Examiner or designee;
- (7) a State's Attorney with experience prosecuting domestic violence cases, appointed by the Executive Director of the Department of State's Attorneys and Sheriffs;
- (8) the Defender General or designee;
- (9) a member of the Vermont Coalition of Batterer Intervention Services;
- (10) a member of the Vermont Network Against Domestic and Sexual Violence;
- (11) a representative of the Vermont Council on Domestic Violence;
- (12) a representative of local law enforcement, appointed by the Governor;
- (13) a victim or survivor of domestic violence, appointed by the Vermont Network Against Domestic and Sexual Violence;

- (14) a physician, appointed by the Governor;
- (15) the Executive Director of the Vermont Criminal Justice Council or designee;
- (16) the Commissioner of Mental Health or designee; ~~and~~
- (17) one judge, appointed by the Chief Justice of the Vermont Supreme Court;
- (18) a sheriff with experience and interest in combating domestic violence, appointed by the Vermont Sheriffs' Association;
- (19) a restorative justice practitioner from a community justice center, appointed by the Attorney General;
- (20) the Director of Victim Services for the Vermont State Police or designee;
- (21) the Executive Director of the Vermont Center for Crime Victim Services or designee;
- (22) a State's Attorney victim advocate, appointed by the Executive Director of the Department of State's Attorneys and Sheriffs; and
- (23) the Director of Victim Services for the Department of Corrections or designee.

(c) In any case subject to review by the Commission, upon written request of the Commission, a person who possesses information or records that are necessary and relevant to a domestic violence fatality or near-fatal incident review shall, as soon as practicable, provide the Commission with the

information and records. A person who provides information or records upon request of the Commission is not criminally or civilly liable for providing information or records in compliance with this section. The Commission shall review fatalities ~~which~~ and near-fatal incidents that are not under investigation and fatalities and near-fatal incidents in cases that are postadjudication ~~which~~ that have received a final judgment.

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

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

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

(g) The Commission shall report its findings and recommendations to the Governor, the General Assembly, the Chief Justice of the Vermont Supreme Court, and the Vermont Council on Domestic Violence not later than the third Tuesday in January of the first year of the biennial session. The report shall be available to the public through the Office of the Attorney General. The Commission may issue data or other information periodically, in addition to the biennial report. The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to be made under this subsection.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

Date Governor signed bill: May 20, 2025