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HB90

DEPARTMENT OF JUSTICE
HB 90: Continuing Montana's Domestic Violence Fatality Review Commission

Background

The 2003 Legislature created Montana's Domestic Violence Fatality Review Commission. The Commission is charged with reviewing homicides caused by intimate family partner violence in communities throughout the state. In structure and purpose, the Commission is similar to the state's fetal, infant and child mortality review teams.

The Commission's 15 members include Senator Gary Perry, victim advocates, district and limited court judges, a batterers' treatment provider, a chaplain, law enforcement, Child Protective Services specialists, a forensic psychiatrist, a tribal representative and a sexual assault nurse examiner. During a review, these individuals work with their counterparts in the community in which the domestic homicide occurred.

Fatality Reviews

The Commission has completed four reviews since May 2003 in both rural and urban communities across the state. Twelve people, including four children, died in these four incidents.

During the review process, the Commission evaluated services provided to the victim.

- What agencies had contact with the victim?
- What agencies had contact with the offender?
- Were the agencies involved communicating with each other?
- What agencies could have provided services but were never contacted by the victim?

The goal of a fatality review is not to identify an individual or agency as responsible for the deaths. The Commission's purpose is to find out where the safety net failed in each case, to look for trends in the failure of the social service system, and to work toward improving the system we use to protect battered women and children. The Commission published the first report detailing its findings in January 2005.

Conclusion

Unfortunately, the need for the Commission has not lessened in the past two years. Since 2000, domestic violence has claimed at least 37 lives in Montana. The ultimate goal of the Commission's work – preventing further deaths – remains urgent. HB 90 would extend the sunset date specified in 2-15-2017, MCA, until December 31, 2008, allowing the Commission to continue its important work.

The Commission's work is funded by a federal grant through the Violence Against Women Act.