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Subject: Press Conference: Domestic Violence Fatality Review Bill Signing
Location: 1st Floor Lobby, Statehouse
When: 3/15/2016 1:00:00 PM - 1:30:00 PM

Bill Signing Brief – Domestic Violence Fatality Review Bill

Date: Tuesday, March 15, 2016 at

Time: 1:00 p.m.

Location: Statehouse, First Floor, Governor's Office

Purpose: To sign into law H.4666, the Domestic Violence Fatality Review Bill.

Speakers:

1. **Governor**
2. **Chairman Larry Martin** – Sponsor of Companion Bill
3. **David Ross**, Director of Prosecution Coordination Commission – Drafted and testified for the Bill
4. **Sara Barber**, Executive Director of SCCADVSA – Victim's Advocate in favor of Bill

Additional Attendees:

1. **Rep. Tommy Pope** – Sponsor of Bill
2. **Sen. Greg Hembree** – Senate Subcommittee Chair for Bill
3. **Rep. David Weeks** – House Subcommittee Chair for Bill
4. **Director Bryan Stirling**, Task Force Chair – Led Task Force effort for the Bill
5. **Laura Hudson**, CVC – Victim's Advocate in favor of Bill

NH Talking Points:

Set the stage for why this bill is needed:

- It's a great day in South Carolina as I stand with members of the Domestic Violence Task Force to celebrate the signing of H.4666, the Domestic Violence Fatality Review Bill.
- It's an even better day in South Carolina to know that the results of this bill will bring real changes to the lives of victims across our state.
- When I started the Domestic Violence Task Force last year, **I challenged our state to look at cultural problems surrounding domestic violence – the little things that we could be doing better, but we're not.**
- How do we identify the roadblocks, gaps, loopholes, or other weaknesses in the system that might help prevent future tragedies from occurring?
- More importantly, how do we do that at the local level – the level closest to the victim?
- **The General Assembly passed a great domestic violence bill last year, but our Task Force**

- **saw one area to take a step further: we needed to formalize the fatality review process at the local level.**

Explain how the bill will make a difference:

- **Under the leadership of our 17 solicitors, they will take a closed case – one in which there was a fatality – and go through the timeline of that case, piece by piece, to see what went wrong and what could be done better.** What could we have done to give that victim a better chance?
- From prosecutors to advocates to law enforcement to medical personnel, legal aid, criminologists, forensic pathologists, and others – all the local stakeholders will come together in one room and see how we could have made a difference.
- We know that domestic violence is a crime that escalates over time, so identifying and tracking those red flags is important to making sure a victim does not fall through the cracks.
- **Let me be clear: This is not about casting blame or pointing the finger.** The only person at fault in domestic violence is the abuser – it is no one else's fault, not the victim's or anyone else's. But we are all involved.
- **This is about taking a serious look in the mirror.** If we are going to answer a victim's call for help, then we should do the very best we can.
- As a state, we have to acknowledge that domestic violence is problem, and we have to make it a priority at all levels of government if we want to see change.

Close with the significance of the bill:

- Every victim has a story, and when a victim is murdered, we don't want to lose that story. We want to learn from it and be better because of it.
- After a fatality review, we can identify and make changes.
- **What I love most about this process is that we will honor a life lost by saying, "Never again."**
- Whatever could have helped save that life will be there for the next one.
- **We are not going to keep repeating the same old practices and policies, because it's not working. We are #1 in the nation for the rate of women killed by men, so we have to start doing something different.**
- The fatality reviews will help us be agile and responsive and make those changes.
- **We are going to start acting like lives are on the line, because they are.**
- Yesterday, we were one of 9 states that did not have a fatality review process. Today, we change that, and we take another step forward in changing our system from the ground up.

Thank the other attendees:

- With that, I want to thank members of the Task Force who helped identify this need and push for this bill:
 - **Director Bryan Stirling** who chairs the Criminal Justice Division of our Task Force;
 - **David Ross**, the Director of the Prosecution Coordination Commission, who will help facilitate these reviews and give guidance to the 16 Solicitors across the state;
 - **Sara Barber**, the Executive Director of SCCADVASA, and **Laura Hudson** with the Crime Victims Council – our advocates for advocates, who are our experts on all victims' issues.
- And of course, I have to thank the legislators that championed this bill:
 - **Chairman Larry Martin** has been a true leader on this issue and has given victims a voice in the legislature like they've never had before;
 - **Representative Pope** who, as a prosecutor in his former life, agreed to sponsor this bill on-the-spot during our Task Force meeting last year;
 - **Senator Hembree** and **Representative Weeks** who were chairs of the subcommittees that vetted this bill and saw it across the finish line;
 - The 30 bipartisan co-sponsors in the House and for the unanimous vote in the Senate – thank you to them as well.

Important Note for Talking Points:

- Depending on the outcome of the 10:00 a.m. meeting with Rep. Pitts, there will be talking points developed regarding the additional prosecutor funding for domestic violence. Chairman Martin's staff also asked whether it would be helpful for him to reiterate the importance of the funding during his comments as well and will wait to take our direction. Additionally, Josh has pulled together options

- for funding sources for a floor amendment.

About DV Fatality Review Committees:

The bill establishes a “Domestic Violence Fatality Review Committee” in each of the 16 Solicitor Circuits:

- **Purpose:** To identify and review DV deaths and to facilitate communication among involved agencies – they may only review closed cases.
- **Oversight:** Prosecution Coordination Commission – Will develop a protocol for the review process, including guidelines, and how often reviews should occur.
- **Suggested Members (all at local level):** Forensic pathologists, medical personnel, coroners, medical examiners, criminologists, assistant solicitors, DV advocates, legal aid attorneys, law enforcement, health department, and child abuse advocates.
- **Confidentiality:** The meetings and documents of a review are confidential and closed to the public, but the recommendations may be disclosed at the committee’s discretion.
- **Report:** The committee shall make recommendations, when appropriate, to the State DV Advisory Created (created by 2015 DV Reform Bill) regarding:
 - Gaps in training or services that would decrease likelihood of DV;
 - Need for changes in the law to decrease incidences of DV;
 - Additional education and outreach for public.
- **Cost:** No fiscal impact.

MEDIA AVAILABILITY – Anticipated Questions on Topic:

Q. What type of changes do you expect to see from these reviews?

- We don’t know, because our state has never done this – it will be new.
- I do expect the changes to be different from case-to-case and community-to-community, because there isn’t a one-size-fits-all solution to this problem.
- They may identify thing similar to what our Task Force has done – anywhere from simplifying a form to instituting a new policy to dedicating additional resources.
- I imagine that the relationships and coordination, alone, amongst the stakeholders will be a significant benefit to achieve a more unified community response – as it has also been at the state level through the Task Force.

Q. When will the reviews start and how often will they occur?

- The Prosecution Coordination Commission is responsible for overseeing that process, so I imagine David will get right to work to hammer out those details.
- [Turn it over to David for additional comments.]

Q. Do you think the Task Force will recommend any other legislation?

- At this time, no – there could be down the road, but there is nothing else on the table now.
- It speaks very highly of the 2015 Domestic Violence Reform Bill to know that there were no other issues to clarify.

Q. Why was legislation necessary to establish this process?

- Two reasons: First, it formalizes the process into law as something we think is that important.
- Second, it gives confidentiality protections for the victim and stakeholders to have the conversations they need to have. The reports and recommendations can be public, but reviewing the details of a fatality case is sensitive enough to need that confidentiality in law.