

Senate Judiciary Committee

Pete Mulvey 271-4063

SB 140-FN, establishing a domestic violence fatality review committee.

Hearing Date: February 11, 2025

Time Opened: 2:14 p.m.

Time Closed: 2:33 p.m.

Members of the Committee Present: Senators Gannon, Altschiller, Avard and Reardon

Members of the Committee Absent : Senators Abbas and Carson

Bill Analysis: This bill establishes a domestic violence fatality review committee within the department of justice to conduct comprehensive, multidisciplinary reviews of deaths related to domestic violence. This bill also establishes a criminal penalty for intentionally disclosing information or records obtained from committee proceedings.

This bill is a request of the department of justice.

Sponsors:

Sen. Birdsell

Who supports the bill: Emily Garod, Michaela Janowski, Pamela Keilig, Dawn McKinney, Matt Broadhead, and Susan Carbon.

Who opposes the bill: Daniel Richardson.

Who is neutral on the bill: N/A

Summary of testimony:

Senator Regina Birdsell

Senate District 19

- Senator Birdsell stated that SB 140-FN was requested by the New Hampshire Department of Justice (DOJ).
 - SB 140-FN established the domestic violence fatality review committee under the DOJ to perform multidisciplinary analysis of deaths involving domestic violence.
- Sen. Birdsell explained that SB 140-FN established a criminal penalty for intentionally disclosing records from committee proceedings.

Matthew Broadhead and Danielle Smith

Associate Attorney General, Program Administrator -Office of Witness Advocate

New Hampshire Department of Justice

- Mr. Broadhead stated that SB 140-FN was a product of consensus among stakeholders.
- The DOJ supported SB 140-FN.
- Mr. Broadhead testified that one in two women and two in five men have reported violence from an intimate partner at some point in their relationship.
- Mr. Broadhead explained that a domestic violence fatality was defined as the killing of one person by another where the relationship between the parties is that of an intimate partner or family/household member.
- The DOJ prosecuted all homicides and tracked all data.
 - Between 2009 and 2023 over 55% of all homicides were related to domestic violence.
 - 25% were perpetrated by a partner, meanwhile another 25% by a family member.
- Mr. Broadhead noted that in the last decade, 43 police officers had been killed nationwide in response to domestic violence calls. Domestic Violence as a community issue was demonstrable.
- The fatality review committee was not new and had existed via executive order since 2001 following the implementation of the Child Fatality Review Committee.
 - The Child Fatality Review Committee was codified in statute and the DOJ sought to do the same with the Domestic Violence Fatality Review Committee.
- The goal of the committee is to provide a systemic review of domestic violence homicides to identify gaps in services and interventions that, if addressed, could improve responses to ultimately prevent future fatalities.
- Over 30 states had adopted similar legislation and the DOJ urged the committee to pass SB 140-FN to codify best practices.
- Mr. Broadhead provided a letter of support from the Londonderry Police Department.
- Sen. Altschiller sought clarity on the inclusion of a batterer's intervention professional on the committee as stated on line eight of the second page. Sen. Altschiller asked what the DOJ expected from the assignment.
 - Ms. Smith noted that batterer's intervention programs were unregulated in NH; however, they were an avenue that prosecutors and courts relied upon for people who commit domestic violence.
 - A deeper understanding of batterers, their conduct, and accountability may be provided to the Domestic Violence Review Committee.
- Sen. Altschiller noted the lack of framework, oversight, or accountability, and asked if amending line eight of the second page was objectionable.
 - Mr. Broadhead emphasized that the Attorney General's Office would be responsible for assembling the team and ensured that they would select only the most qualified individuals.
- Sen. Altschiller hoped for and asked that the committee engage in sensitivity training to enhance how they engaged in their work.
 - Mr. Broadhead assured Sen. Altschiller that since 2001 the goal has been to place qualified individuals in positions relevant to helping victims of domestic violence.
 - Subject matter experts are sought after.
 - Participation was unpaid, outcome driven and outcome incentivized.

Susan Carbon

Circuit Court Judge, Manchester

- Judge Carbon stated that she sat part-time as a judicial referee.
- Former Governor Jeanne Shaheen signed a 1999 executive order establishing the first fatality review committee.
 - The 1999 committee was multidisciplinary, composed of domestic violence industry experts, and considered closed cases only.
- Judge Carbon stated that annual reports were issued, and each subsequent report determined whether the previous year's recommendations had been adopted or not and provided an explanation accordingly.
- Domestic violence was the most insidious issue of the present time.
- The proposed committee had a no blame no shame model, did not target individuals, and would be used to find solutions to bridge gaps and responses to domestic violence.
- All but five states had adopted some form of a fatality review committee.
 - Operations differed, but the goals were consistent.
 - She noted that there were also a dozen countries with similar committees and the constant among all committees was their multidisciplinary approach.
- Sen. Avard asked if Judge Carbon was comfortable with the language of the batterer programming.
 - Judge Carbon confirmed that she was.
- Sen. Altschiller commended Judge Carbon for the work she had done pertaining to domestic violence.

PM

Date Hearing Report completed: February 14, 2025