

**Florida  
Domestic Violence  
Fatality Review Team  
2008 Annual Report  
Executive Summary**



June 19, 2008

Honorable Charlie Crist  
Governor  
The Capitol  
Tallahassee, Florida 32399-0001

Dear Governor Crist:

Pursuant to Section 741.316, Florida Statutes, the Florida Department of Law Enforcement Domestic Violence Data Resource Center is pleased to submit the *2008 Domestic Violence Fatality Review Team Annual Report*.

If you have any questions, please call the Domestic Violence Data Resource Center at (850) 410-7126.

Sincerely,

Gerald M. Bailey  
Commissioner

GMB/jh

Enclosure

cc: Honorable Ken Pruitt, President of the Florida Senate  
Honorable Marco Rubio, Speaker of the Florida House of Representatives  
Honorable R. Fred Lewis, Chief Justice of Florida Supreme Court  
Secretary Robert A. Butterworth, Department of Children and Families  
Fatality Review Team Chairs

## **TABLE OF CONTENTS**

2008 Annual Report.....	<b>1-5</b>
<b>Appendix 1:</b>	
Domestic Violence Data Review.....	<b>6-10</b>
<b>Appendix 2:</b>	
Highlights of the Domestic Violence Fatality Review Reports Reviewed (2006-2008).....	<b>11</b>
<b>Appendix 3:</b>	
Fatality Review Team Contact Information.....	<b>12-13</b>
<b>Appendix 4:</b>	
Recent Legislation.....	<b>14-16</b>

## 2008 ANNUAL REPORT

Domestic Violence Fatality Review Teams (FRTs) were first formed in Florida in the mid – 1990’s. These teams began as local initiatives supported with federal grant funds for a process development. On July 1, 2000, Section 741.316, Florida Statutes, was enacted which allowed organizations to establish FRTs at the local, regional, or state level. The teams, which are not funded, work independently and may be composed of representatives from municipal, county, state and federal agencies, as well as individuals or organizations that are involved with, or affected by, a domestic violence fatality. The composition varies from team to team. Their goal is to review fatal and near-fatal incidents of domestic violence, related domestic violence matters, and suicides and identify changes in policy or procedure that may prevent future deaths.

The FRTs use standardized submission forms provided by the Florida Department of Law Enforcement (FDLE) to collect and record their findings of reported domestic violence related cases. Annually, each team submits a report of this data to FDLE. In 2003, the standardized reporting form was revised and additional forms were created to capture multiple victim and perpetrator information. A by-stander form was created to capture secondary fatality victims who are not directly involved with the domestic violence incident.

Besides the submission forms, an FRT Annual Summary Form was provided to each team to ensure that the appropriate findings and recommendations, derived from the reviews that the teams conducted, were captured. This form provides a mechanism for teams to highlight findings and/or issues that might not come to the forefront when data from all reviews are summarized. Though a team may not have reviewed reports that fit the criteria for inclusion in the annual report, they are encouraged to submit summary information of their reviews, which is included in the annual report.

FDLE’s goal is to accurately report the information provided by the local teams. An annual report is prepared by July 1 of each year concerning domestic violence fatalities and is submitted to the Governor, President of the Senate, Speaker of the House of Representatives, Chief Justice of the Florida Supreme Court, and Secretary of the Department of Children and Families (DCF).

At this time, due to budget constraints in the State of Florida, the duties and responsibilities of FDLE's Domestic Violence Data Resource Center will be transferred to DCF. They will assist the FRTs in their continuing effort to promote the prevention of domestic violence within their communities and the state of Florida. This will be FDLE's final annual report.

## DOMESTIC VIOLENCE IN FLORIDA

According to the Uniform Crime Reports Annual Report, Crime in Florida, a total of 115,150 domestic violence incidents were reported in 2007. Domestic violence accounted for 34 percent of all comparable reported violent offenses and simple assaults.

Domestic violence accounted for 189 (16%) of the state's 1,202 murders during the same reporting period. The spouse or live-in partner was the victim in 56 percent of these offenses. Children accounted for 12 percent of the victims.

Although the statistics for the Crime in Florida report are based on statewide participation of all law enforcement agencies and this report is based on a smaller selection of cases, a comparison of the Crime in Florida and FRT data revealed similar values when computing the percentage of fatalities by the victim to offender relationship.

Victim Relationship	Crime in Florida	FRT Statistics
Spouse	40%	44%
Parent (Step-parent)	13%	4%
Child (Step-Child, Child of Boyfriend/Girlfriend)	12%	4%
Other Family/Sibling (Brother-in-law/Sister-in-law, etc.)	9%	0%
Co-habitant (Ex-co-habitant)	16%	44%
Other (Girlfriend/Boyfriend, Ex-girlfriend/boyfriend, etc.)	10%	4%

## DOMESTIC VIOLENCE FATALITY REVIEW TEAM DATA

This report is based on the reviews of 27 cases involving 27 decedents and perpetrators and is not meant to statistically represent all domestic violence deaths in Florida. Four of the cases reported involved male victims. Of the cases reviewed, 15 occurred in/at the residence of the decedent and perpetrator. In 22 of the cases, the parties lived together at time of death. Prior incidents of domestic violence had been reported in 37 percent of the cases, and in 48 percent of the cases, the parties had experienced a significant change in the relationship. Profiles of the perpetrator and decedent are listed below.

	Perpetrator	Decedent
Male	93%	15%
Female	7%	85%
White	67%	74%
Black	26%	22%
Asian/Pacific Island	7%	4%
Multi-racial	0%	0%
<b>Average Age</b>	<b>38</b>	<b>34</b>

The cases reviewed for this report were independently selected by the FRTs. Due to the differing methods of selecting incidents for review and the changing number of participating FRTs, the data is not provided as a year-to-year comparison. The data is from seven teams covering only 12 counties and the number of reviews completed by each team varies.

#### Event Information

Thirty-one telephone calls were received regarding the cases reviewed for the 2008 reporting period. This was due to multiple complainants recorded in four of the reports. Calls received from both a family member of the decedent and family member of the perpetrator were 48 percent of the calls. Five of the calls were received from a neighbor. Two of the complainant calls were from the perpetrator. The category of "Other" consisted of one deputy sheriff, one former wife of the decedent, one bystander, and patrons of the business where the homicide occurred. Nearly 80 percent of the complainant calls were received after the event. In 15 percent of the cases reviewed, children were present during the fatality.

#### Decedent & Perpetrator Information

There were a total of 27 victims in the domestic violence fatality cases reviewed for the 2008 reporting period. Of the cases reviewed, the spouse or ex-spouse of the perpetrator was the victim in 12 of the fatalities, the co-habitant or ex-co-habitant was the victim in 12 of the fatalities, and a step-parent, child and girlfriend was the victim in three of the cases. In one case, a bystander was involved and survived the assault. Firearms (19) accounted for 70 percent of the 27 deaths. Over half of the decedents, 55 percent, were killed in the decedent and perpetrator's residence. In 13 of the cases, the perpetrator committed suicide at the time of the fatality. Two of the perpetrators were victims of the decedent's abuse at the time of the fatality. In four of the cases, children were present during the fatality.

#### Existing and/or Contributing Factors To The Incident

Factors under this category may have existed in the relationship between the decedent and perpetrator and/or contributed to the fatality. The eight categories are: Escalating Circumstances, Relationship, Employment-Monetary, Criminal Justice Interaction, Illegal Substance Abuse, Prescribed/Non-Prescribed Medicine, Mental Health, and Other.

Under the Other Factors category, the perpetrator alleged to have committed an act to avenge a perceived wrongdoing by the decedent in 15 of the cases reviewed. The perpetrator had a total factor count of 13 in the category of Escalating Circumstances and Illegal Substance Abuse. The decedent had a count of 11 for the factor of significant change in their relationship.

#### Lethality Indicators

The three most common lethalties for the decedent were: 1) History of domestic violence; 2a) History of criminal activity/substance abuse; and 2b) Suicidal. The three most common lethalties indicated for the perpetrator were: 1) Extreme jealousy; 2) History of substance abuse; and 3) Anger behavior.

#### Court and Criminal History

Of the 27 domestic violence fatality reports reviewed for the 2008 reporting period, a No Contact Order was in place for the perpetrator in five of the cases. At the time of the fatality, there were 11 previous injunctions filed on the perpetrator by persons other than the decedent.

The decedent, in nine of the cases reviewed, had a criminal history. There were a total of 20 non-violent related arrests and five domestic violence related arrests for the decedent. The perpetrator, in 18 of the cases, had a criminal history. There were a total of 51 non-violent related arrests, 15 violent related arrests and nine domestic violence related arrests for the perpetrator.

The perpetrator and decedent had previously reported incidents of domestic violence in 10 of the 24 cases. Persons and/or entities with knowledge of domestic violence occurring between the decedent/perpetrator were known in 18 of the cases reviewed. Police response in other domestic violence related history for the perpetrator was noted seven times in three of the cases. Police response for other domestic violence related history for the decedent was noted 10 times in five of the cases.

#### *Domestic Violence Related Services and Programs*

Of the four Service categories, Domestic Violence, Criminal Justice, Health Care Provider and Children Services, it was found that the decedent used Children Services most frequently. It should be noted that in seven of the cases, either the perpetrator and/or decedent requested services under the category Criminal Justice/Legal Assistance. Domestic Violence Services were used by the decedent in three of the cases while the perpetrator requested Children Services in four of the cases.

Of the four Program categories, Anger Management, Batterer's Intervention, Substance Abuse and Other Court Ordered, it was found that the decedent was ordered into a Substance Abuse program in one of the cases, while the perpetrator was ordered into the same program in six of the cases. The perpetrator only completed the program in one of the six cases.

## FATALITY REVIEW TEAMS

In January 2007, the following counties had active FRTs: Bay, Brevard, Broward, Escambia, Lee, Highlands, Miami-Dade, Orange, Palm Beach, Pasco, Pinellas, Polk, Sarasota (also reporting for Manatee and Desoto counties), Seminole, and Third Judicial Circuit (Columbia, Madison, Taylor, Lafayette, Dixie, Hamilton and Suwannee counties). Hillsborough County is forming an FRT and partnering with the Child Death Review Team within their area. Of the 189 domestic violence homicides reported statewide in 2007, 66 or nearly 35 percent of these homicides were committed within the jurisdiction of the reporting teams.

The FRTs met in 2007 to discuss local, statewide, and national domestic violence issues. Seven teams submitted 27 case reviews for inclusion in this annual report. The teams provided individual case review information and an overview of the critical findings resulting from the reviews conducted for this reporting period. Reports submitted to the FDLE must meet the criteria for inclusion in the domestic violence fatality data report, even though each team may review several types of cases during the year.

Brevard County	1
Broward County	5
Orange County	5
Pasco County	1
Pinellas County	9
Polk County	4
Third Judicial Circuit	2

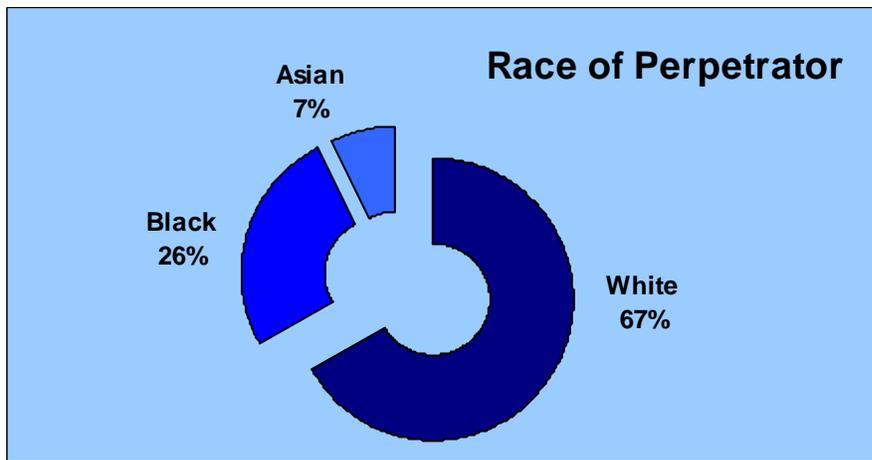
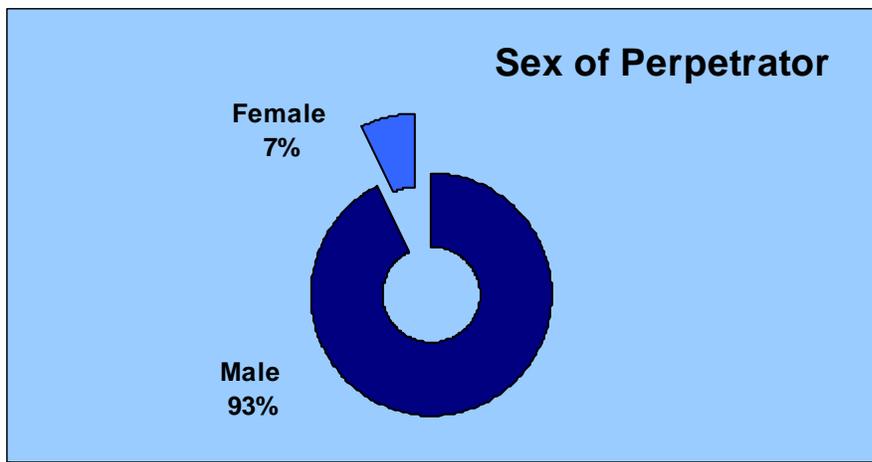
Note: Case reviews were either not submitted and/or not included for FRTs in Bay, Escambia, Highlands, Lee, Miami-Dade, Palm Beach, Sarasota, and Seminole counties.

FRTs consist of members representing local law enforcement agencies, State Attorney's Office, Clerk of the Court, Court Administrator's Office, Medical Examiner's Office, Domestic Violence Centers, victim services, batterer's intervention program providers, Department of Children and Families, shelters, other state agencies, business entities, county probation and corrections, local animal shelters, local clergy, Department of Health child death review teams and/or other involved parties. The composition varies from team to team.

## Appendix 1: DOMESTIC VIOLENCE DATA REVIEW

### Perpetrator Information

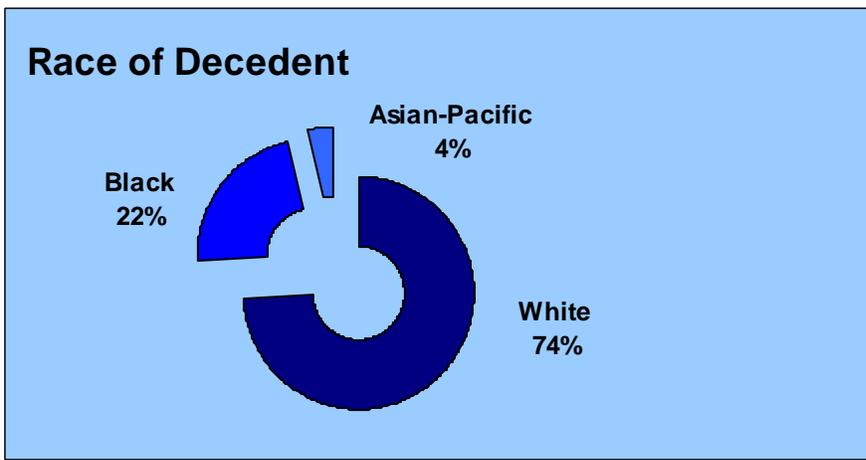
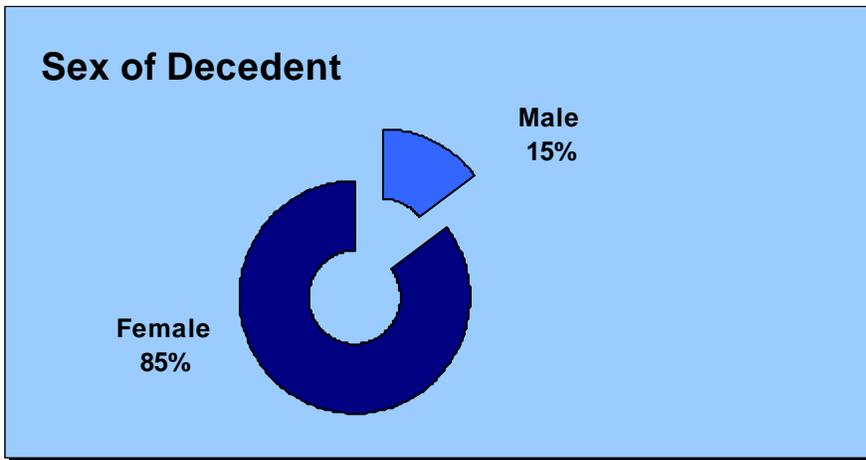
Of the 27 domestic violence fatality reports reviewed for the 2008 reporting period, 25 of the perpetrators were male. The marital status indicated that seven of the perpetrators were married to the decedent at the time of the fatality. The racial breakdown of the cases reviewed reflected 18 of the perpetrators were white, seven were black, and two were Asian/Pacific. Sixteen of the perpetrators were employed at the time of the fatality. The perpetrators had 51 non-violent arrests, nine domestic violence arrests and 15 arrests for other violent crimes. A history of possession of weapons was reported in 13 of the cases reviewed. The perpetrator had previous domestic violence incidents with a different partner in three of the cases. In over half of the cases, anger behavior, extreme jealousy and history of substance abuse had the highest number of lethality indicators for the perpetrator. In five of the cases reviewed, the perpetrator had a No Contact Order through the courts. In 18 of the cases, persons and/or other entities had knowledge of domestic violence in the life of the perpetrator.



# of Perpetrators for each age group
11-20 years of age – 1
21-30 years of age – 11
31-40 years of age – 4
41-50 years of age – 6
51-60 years of age – 4
61-70 years of age - 1

## Decedent Information

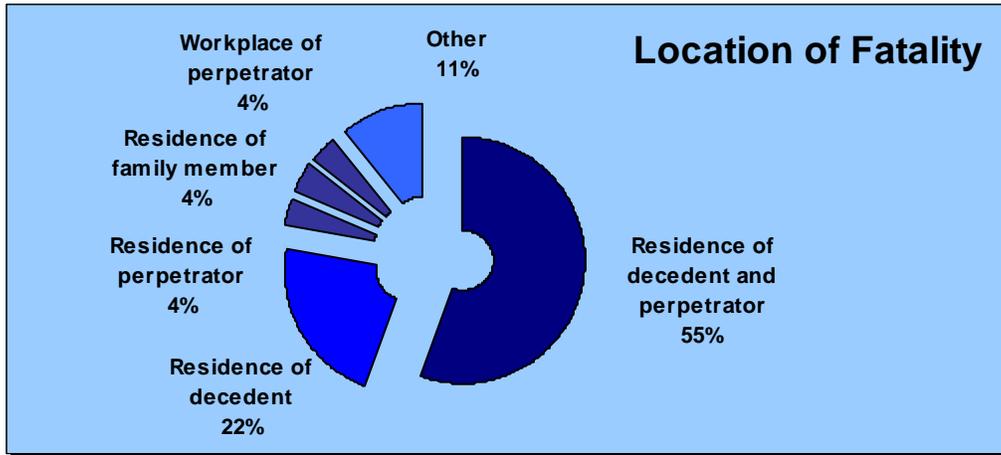
Of the 27 domestic violence fatality reports for the 2008 reporting period, 23 of the victims were adult females and four were adult males. The marital status indicated that 11 of the victims were married to the perpetrator, three were separated from the perpetrator, and one was divorced from the perpetrator. The racial breakdown of the cases reflect that 20 of the victims were white, six were black, and one was Asian/Pacific. Over half of the decedents were employed at the time of their death. The decedents had 20 non-violent arrests, five domestic violence arrests and one arrest for other violent crimes. Thirteen of the victims had no arrest record. Police had responded to the residence for some reason in 13 of the cases reviewed. The decedent was the victim of previous domestic violence with a different partner 10 times. In 18 of the cases, persons and/or other entities had knowledge of domestic violence in the life of the decedent.



# of Decedents for each age group
11-20 years of age – 3
21-30 years of age – 10
31-40 years of age – 6
41-50 years of age – 6
51-60 years of age – 1
71-80 years of age – 1

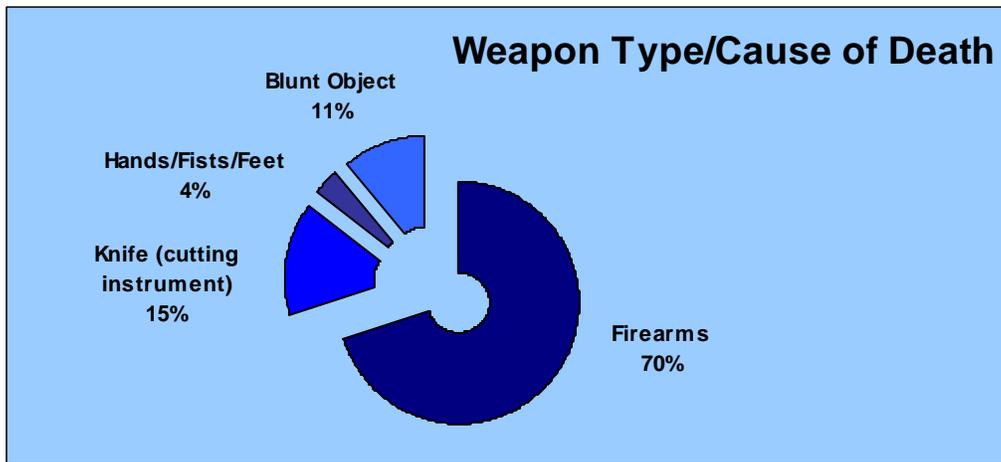
## Location of Fatality

In the 27 domestic violence fatality cases reviewed for the 2008 reporting period, 15 of the cases occurred in or at the residence of the decedent and the perpetrator. The location "Other" comprises the following: park, home of decedent's boyfriend and condominium parking lot.



## Weapon Types

Of the weapon types listed, there were 27 weapons used to carry out the fatalities of the victims for the 2008 reporting period. There were a total of 19 in the "Firearms" category.



## Relationship of Decedent and Perpetrator

The Relationship Categories include: Spouse, Spouse (not living together), Ex-spouse, Co-habitant, Ex-Co-habitant, Step-parent, Child and Girlfriend. Of the 27 cases reviewed, the spouse (living with), spouse (not living with) and ex-spouse were the victims in 12 of the fatalities. Twelve of the victims in the relationship were a co-habitant or ex-co-habitant. One victim was a step-parent of the perpetrator. In two of the 27 domestic violence cases reviewed, the relationship of the victim to the perpetrator in one case was that of an adult child, while the other one was the perpetrator's girlfriend.

## Lethality Indicators

This information concerns a high number of lethality indicators that may have been displayed by the decedent and/or perpetrator during the relationship, but prior to the fatality, including Emotional/Mental Deterioration, Relationship Dynamics, Antisocial Behavior, Non-Compliance of Community Control and Type of Violence. This information is available through law enforcement investigative reports, possible service agency reports, medical examiner reports, newspaper accounts and interviews with persons that knew the perpetrator and/or decedent.

<b><i>Emotional/Mental Deterioration</i></b>
Perpetrator – Anger behavior (16 of 27 cases reviewed).
Decedent – Suicidal (6 of 27).
<b><i>Relationship Dynamics</i></b>
Perpetrator – Extreme jealousy (17 of 27).
<b><i>Antisocial Behavior</i></b>
Perpetrator – History of substance abuse (17 of 27).
Decedent – History of domestic violence (8 of 27).
Decedent – History of criminal activity and substance abuse (6 of 27).
<b><i>Non-Compliance of Community Control</i></b>
Perpetrator – Arrests for domestic violence (6 of 27).
<b><i>Type of Violence</i></b>
Perpetrator – Use of weapon (10 of 27).

## Existing and/or Contributing Factors to the Incident

This information concerns a high number of existing and/or contributing factors in the relationship or to the fatality by the decedent and/or perpetrator including Escalating Circumstances, Relationship, Employment/Monetary, Criminal Justice Interaction, Illegal Substance Abuse, Prescribed/Non-Prescribed Medication, Mental Health and Other category. This information is available through law enforcement investigative reports, possible service agency reports, medical examiner reports, newspaper accounts and interviews with persons that knew the perpetrator and/or decedent.

<b><i>Escalating Circumstance</i></b>
Perpetrator – Exhibited signs of anger (13 of 27 cases reviewed).
Decedent – Express fear of physical danger to themselves (9 of 27).
<b><i>Relationship</i></b>
Perpetrator – Had a significant change in their relationship (12 of 27).
Decedent – Had a significant change in their relationship (11 of 27).
<b><i>Employment/Monetary</i></b>
Perpetrator – Loss of income (4 of 27).
Decedent – Loss of employment recently (3 of 27).
<b><i>Criminal Justice Interaction</i></b>
Perpetrator – Arrested for domestic violence (7 of 27).
Decedent – Had filed an injunction (6 of 27).
<b><i>Illegal Substance Abuse</i></b>
Perpetrator – Abused alcohol (13 of 27).
Decedent – Abused alcohol (7 of 27).
<b><i>Prescribed/Non-Prescribed Medication</i></b>
Perpetrator – Taking non-prescription medications (2 of 27).
Decedent – Taking prescription medications (2 of 27).
<b><i>Mental Health</i></b>
Perpetrator – Had documented history of mental health problems (4 of 27).
Decedent – Had attempted to commit suicide (5 of 27).
<b><i>Other</i></b>
Perpetrator – alleged to have committed act to avenge a perceived wrongdoing by decedent (15 of 27).
Both the Perpetrator and Decedent, in several of the cases reviewed, were involved with other persons while the present relationship was going on.

**Appendix 2:**  
**HIGHLIGHTS OF THE DOMESTIC VIOLENCE FATALITY REPORTS**  
**REVIEWED (2006 – 2008)**

*This chart uses the number of cases reviewed when calculating data.*

	2006	2007	2008
<b><u>Average Age of Perpetrator</u></b>	41	41	38
<b><u>Average Age of Decedent</u></b>			
<b><u>Adult</u></b>	43	40 (adult)	34 (adult)
<b><u>Child</u></b>		9 (child)	
<b><u>Sex of Perpetrator</u></b>	89% male (17) 11% female (2)	80% male (20) 20% female (5)	93% male (25) 7% female (2)
<b><u>Sex of Decedent</u></b>	26% male (6) 74% female (17)	<b>Adult</b> - 24% male (5) 76% female (16) <b>Child</b> - 50% male (4) 50% female (4)	15% male (4) 85% female (23)
<b><u>Race of Perpetrator</u></b>	63% white (12) 37% black (7)	56% white (14) 36% black (9) 8% Asian-Pacific (2)	67% white (18) 26% black (7) 7% Asian-Pacific (2)
<b><u>Race of Decedent</u></b>			
<b><u>Adult</u></b>	70% white (16) 30% black (7)	<b>Adult</b> - 57% white (12) 38% black (8) 5% Asian-Pacific	74% white (20) 22% black (6)
<b><u>Child</u></b>		<b>Child</b> - 37.5% white (3) 37.5% black (3) 25% multi-racial (2)	4% Asian-Pacific (1)
<b><u>Location</u></b>	57% occurred in/at the residence of the decedent and perpetrator (11 of the 19 cases)	67% occurred in/at the residence of the decedent and perpetrator (16 of the 24 cases)	55% occurred in/at the residence of the decedent and perpetrator (15 of the 27 cases)
<b><u>Weapons</u></b>	In 95% of the fatalities a <u>handgun</u> was involved (18 of the 19 cases)	In 46% of the fatalities a <u>handgun</u> was involved (11 of the 24 cases) In 17% of the fatalities a <u>knife/cutting instrument</u> was involved (4 of the 24 cases)	In 67% of the fatalities a <u>handgun</u> was involved (18 of the 27 cases) In 15% of the fatalities a <u>knife/cutting instrument</u> was involved (4 of the 27 cases)
<b><u>Relationship</u></b>	63% of the parties <u>lived together</u> at the time of the fatality (12 of the 19 cases)	75% of the parties <u>lived together</u> at the time of the fatality (18 of the 24 cases)	81% of the parties <u>lived together</u> at the time of the fatality (22 of the 27 cases)
<b><u>History</u></b>	42% of the cases had <u>prior reported incidents of domestic violence</u> (8 of the 19 cases)	38% of the cases had <u>prior reported incidents of domestic violence</u> (9 of the 24 cases)	37% of the cases had <u>prior reported incidents of domestic violence</u> (10 of the 27 cases for a total of 24 times)

**Appendix 3:  
FATALITY REVIEW TEAM CONTACT INFORMATION**

<p><b>Bay County</b> Suzi Schomer Bay County Health Department 597 West 11<sup>th</sup> Street Panama City, FL 32401 (850) 872-4455 x1256 <a href="mailto:Suzi_Schomer@doh.state.fl.us">Suzi_Schomer@doh.state.fl.us</a></p>	<p><b>Hillsborough County</b> Nikki Daniels Family Justice Center 9309 North Florida Avenue Suite #109 Tampa, FL 33612 (813) 490-9401 <a href="mailto:ndaniels@fjhc.org">ndaniels@fjhc.org</a></p>
<p><b>Brevard County</b> Lisa (Mister) DeAnda – Chair Office of the State Attorney 2725 Judge Fran Jamieson Way Building #D Viera, FL 32940 (321) 617-7555 <a href="mailto:LMister@sa18.state.fl.us">LMister@sa18.state.fl.us</a></p>	<p><b>Lee County</b> Nica Boback Abuse Counseling and Treatment, Inc. Post Office Box 60401 Fort Myers, FL 33906 (239) 939-2553 <a href="mailto:nboback@actabuse.com">nboback@actabuse.com</a></p>
<p><b>Broward County</b> Nancy Tanner Victim Advocate Unit Office of the State Attorney 16 South East 6<sup>th</sup> Street Fort Lauderdale, FL 33301 (954) 765-4133 <a href="mailto:Ntanner@sao17.state.fl.us">Ntanner@sao17.state.fl.us</a></p>	<p><b>Miami-Dade County*</b> summary only Lauren Lazarus, Esquire Administrative Office of the Courts 175 NW 1<sup>st</sup> Avenue, Room #1502 Miami, FL 33128 (305) 349-5555 <a href="mailto:llazarus@jud11.flcourts.org">llazarus@jud11.flcourts.org</a></p>
<p><b>Escambia County</b> Greg Marcille Office of the State Attorney Post Office Box 12726 Pensacola, FL 32575 (850) 595-4200 <a href="mailto:Greg_Marcille@co.escambia.fl.us">Greg_Marcille@co.escambia.fl.us</a></p>	<p><b>Orange County</b> Garnet Ahern Orange County Corrections Post Office Box 4970 Orlando, FL 32802 (407) 836-3013 <a href="mailto:Garnett_ahern@yahoo.com">Garnett_ahern@yahoo.com</a></p>
<p><b>Highlands County</b> Cherie Simmers Tenth Judicial Circuit Polk County Courthouse Post Office Box 9000, J153 Bartow, FL 33831-9000 (863) 534-4173 <a href="mailto:CSimmers@jud10.flcourts.org">CSimmers@jud10.flcourts.org</a></p>	<p><b>Palm Beach County</b> Joe LoBianco Department of Children and Families Unit #88 111 South Sapodilla Avenue West Palm Beach, FL 33401 (561) 837-5497 <a href="mailto:Joe_LoBianco@dcf.state.fl.us">Joe_LoBianco@dcf.state.fl.us</a></p>

<p><b>Pinellas County</b>  Frieda Widera  Largo Police Department  201 Highland Avenue  Largo, FL 33770  (727) 586-7481  <a href="mailto:fwidera@largo.com">fwidera@largo.com</a></p>	<p><b>Seminole County</b>  Jeanne Gold  Executive Director  Safe House of Seminole  Post Office Box 2921  Sanford, FL 32772  (407) 302-5220 x225  <a href="mailto:jgold@safefhouseofseminole.org">jgold@safefhouseofseminole.org</a></p>
<p><b>Polk County</b>  Cherie Simmers  Tenth Judicial Circuit of Florida  Polk County Courthouse  Post Office Box 9000, J153  Bartow, FL 33831-9000  (863) 534-4173  <a href="mailto:CSimmers@jud10.flcourts.org">CSimmers@jud10.flcourts.org</a></p>	<p><b>Third Judicial Circuit*</b>  Nancy Fields  Family Court Manager  Court Administration, Third Judicial Circuit  Post Office Box 1569  Lake City, FL 32056  (386) 719-2021  <a href="mailto:Fields.nancy@jud3.flcourts.org">Fields.nancy@jud3.flcourts.org</a>  *Columbia, Madison, Taylor, Lafayette, Dixie,  Hamilton and Suwannee Counties</p>

## **Appendix 4: RECENT LEGISLATION**

### **2000**

The Florida Legislature enacted Section 741.316, F.S., which recognized the work of these teams and called for FDLE to develop a standard data collection form, to gather information from the local FRTs, and to publish an annual state-level report.

### **2001**

The Florida Legislature approved and Governor Bush signed into law, the "Family Protection Act" which requires a 5-day mandatory jail term for any crime of domestic battery in which the perpetrator deliberately injures the victim. This law also makes a second battery crime a felony offense, which will effectively treat repeat offenders as serious criminals. The Family Protection Act also requires persons convicted of violent crimes to pay a \$201 surcharge to offset the costs of local incarceration and support domestic violence shelters.

### **2002**

The Florida Legislature approved, and Governor Bush signed into law, Senate Bill 716 (Section 741.28, F.S.) which clarifies that people who have a child in common, or who are in a dating relationship, are not required to have resided together to be eligible for an injunction for protection against violence. Senate Bill 716 also eliminates the filing fee for protective orders (Section 741.30, F.S.) and allows certified domestic violence advocates, prosecution, or law enforcement advocates to be present during injunction hearings.

In the state's continuing efforts to reduce domestic violence crimes, Governor Bush initiated Violence Free Florida! in 2002. This program is aimed at reducing domestic violence through greater public awareness of this crime, increasing services for its victims, and providing additional public/private partnerships for greater community involvement in these efforts.

### **2003**

The Florida Legislature approved and Governor Bush signed House Bill 1099, relating to Domestic Violence Centers. This bill removes the requirement that the Department of Children and Families approve or reject applications for funding received from domestic violence centers; provides for provision of technical assistance and distribution of funds for said centers by a statewide association whose primary purpose is to provide technical assistance to certified domestic violence centers; and provides requirements for contracts between said association and certified domestic violence centers. Since Fiscal Year 1998-99, funding for domestic violence shelters and their services has increased by nearly 80 percent.

### **2004**

No bills relating to FRTs were passed.

### **2005**

Section 741.3165, F.S., was amended to expand the exemption from public records requirements for confidential or exempt information obtained by FRTs to include information that identifies a victim of domestic violence or the children of a victim; expanding the exemption from public meetings requirements to exempt those portions of meetings at which confidential or exempt

information is discussed; providing for review and repeal; providing a statement of public necessity; removing unnecessary language; making clarifying changes; providing an effective date.

## **2006**

No bills relating to the Domestic Violence Fatality Review Teams were passed. Bills relating to Domestic Violence were passed.

Priority Safe Shelter, House Bill 761 (Chapter 2006-295, Laws of Florida) – an act relating to trespass on the property of a certified domestic violence center; amending Section. 810.09, F.S.

- Increases the penalty for trespassing at a certified domestic violence center from misdemeanor to a third degree felony; and
- Effective July 1, 2006.

Continuing Education, House Bill 699 (Chapter 2006-251), Laws of Florida) – an act relating to health care practitioners; amending s. 456.031, F.S.; revising requirement for instruction of certain health care practitioners concerning domestic violence; amending Section 456.033, F.S.

- Increases domestic violence continuing education for physicians to two-hours at initial licensure and every third renewal period;
- Mandates that the course must consist of information on domestic violence screenings, history, professional practice and methods for screening; and
- Effective July 1, 2006.

Interference with Custody, Committee Substitute for House Bill 7111 (Chapter 2006-114, Laws of Florida) – an act relating to a review under the Open Government Sunset Review Act regarding the offense of interference with custody; amending Section 787.03, F.S.

- Revises an existing defense under statute based on being a victim of domestic violence, a defendant must establish that he or she reasonably believed the action of taking the minor or incompetent person was necessary in order to escape from the violence or preserve the minor or incompetent person from exposure to the violence;
- Broadens an existing exception to statute making the exception available to any person having a legal right to custody of a minor, rather than simply to a spouse; the exception is applicable not only to the taking of a child but also the taking of an incompetent person; and
- Effective October 1, 2006.

Interference with Custody Public Records, House Bill 7113 (Chapter 2006-115, Laws of Florida) – an act relating to a review under the Open Government Sunset Review Act regarding the public records exemption for the interference with custody statute; amending Section 787.03, F.S.

- Reenacts and expands the public records exemption to include the current address and telephone number of the person fleeing with a child, the child, and the incompetent person; and
- Effective October 1, 2006.

Parental relocation with a Child, Committee Substitute for Senate Bill 2184 (Chapter 2006-245, Laws of Florida) – an act relating to parental relocation with a child; amending Section 61.13, F.S.

- Requires a primary residential parent who wishes to relocate with a child to provide advance notice to the other parent and/or persons entitled to visitation at least 30 days before the proposed relocation;
- The notice must describe the proposed new residence, its address, the reasons for the proposed relocation, and a proposed visitation schedule;
- The court must evaluate the proposed relocation based on several factors, including domestic violence;
- Provides that the court may enter an order to prevent the disclosure of location information if that information is protected under a public records exemption; and
- Effective October 1, 2006.

## **2007**

No bills relating to the Domestic Violence Fatality Review Teams were passed. Bills relating to Domestic Violence were passed.

Domestic Violence Leave; Employers and Employees; Confidentiality, House Bill 55 (Chapter 2007-115, Laws of Florida) – creates Section 741.313, F.S., that requires employers of 50 or more employees to permit employees to take up to three working days of leave, with or without pay, within a 12-month period if the employee or a family member has been a victim of domestic violence. Effective July 1, 2007.

Domestic Violence Leave; Personal Identifying Information; Employers and Employees; Public Records, House Bill 63 (Chapter 2007-108, Laws of Florida) – in creating Section 741.313(7), F.S., this bill keeps confidential and exempts from public record release personal identifying information contained in state agency records that document an act of domestic violence against an agency employee or family member when information was submitted to the agency in order to obtain leave. Effective July 1, 2007.

Domestic Battery; Strangulation; Crimes and Penalties, Senate Bill 184 (Chapter 2007-133, Laws of Florida) – amends Section 784.041, F.S., by adding the new crime of domestic battery by strangulation. It defines the offense as the restriction of normal breathing or blood circulation of a family or household member or a person with whom the defendant is involved in a dating relationship. Effective October 1, 2007.

## **Domestic Violence Data Resource Center**

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Tallahassee, Florida 32308

PH: (850) 410-7126

FAX: (850) 410-7124

<http://www.fdle.state.fl.us/CitResCtr/DomesticViolence/index.html>

### **Criminal Justice Information Services**

**Donna M. Uzzell, Director**

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### **Compliance, Training and Business Services**

April Cross, Planning and Policy Administrator

### **Audit and Data Collection Services**

Charles Murphy, Senior Management Analyst Supervisor

### **Domestic Violence Data Resource Center**

Jan Henderson, Government Analyst