

By: Senator(s) Wiggins

To: Judiciary, Division A

SENATE BILL NO. 2886

1 AN ACT TO ENACT THE MISSISSIPPI DOMESTIC VIOLENCE FATALITY  
 2 REVIEW TEAM LAW; TO ESTABLISH A STATEWIDE DOMESTIC VIOLENCE  
 3 FATALITY REVIEW TEAM WITHIN THE DEPARTMENT OF PUBLIC SAFETY; TO  
 4 AUTHORIZE THE ESTABLISHMENT OF DOMESTIC VIOLENCE FATALITY REVIEW  
 5 TEAMS WITHIN THE CIRCUIT COURT DISTRICTS OF THE STATE; TO PROVIDE  
 6 GUIDELINES FOR THE MEMBERSHIP OF THE TEAMS; TO PROVIDE THAT A TEAM  
 7 SHALL REVIEW FATAL AND NEAR-FATAL INCIDENTS OF DOMESTIC VIOLENCE,  
 8 RELATED DOMESTIC VIOLENCE MATTERS, AND SUICIDES WITHIN ITS  
 9 JURISDICTION; TO PROVIDE THAT THE PURPOSE OF A TEAM UNDER THIS  
 10 SECTION SHALL BE TO LEARNING HOW TO PREVENT DOMESTIC VIOLENCE  
 11 THROUGH EARLY INTERVENTION AND IMPROVING THE QUALITY OF THE  
 12 RESPONSE BY INDIVIDUALS AND INSTITUTIONS TO DOMESTIC VIOLENCE; TO  
 13 PROVIDE LIMITED CIVIL IMMUNITY FOR TEAM MEMBERS AND CERTAIN OTHER  
 14 PERSONS; TO PROVIDE PROCEDURES FOR INFORMATION, TESTIMONY,  
 15 RECORDS, REPORTS, RECOMMENDATIONS, OR OTHER EVIDENCE OBTAINED,  
 16 GENERATED, OR TRANSMITTED BY A TEAM; AND FOR RELATED PURPOSES.

17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

18 **SECTION 1.** (1) This section shall be known and may be cited  
 19 as the "Mississippi Domestic Violence Fatality Review Team Law."

20 (2) As used in this section, the following terms have the  
 21 meanings ascribed herein:

22 (a) "Circuit team" includes the domestic violence  
 23 fatality review team established within a circuit court district  
 24 or districts by judicial order authorized in subsection (4) of  
 25 this section.



26 (b) "Commissioner" means the Commissioner of Public  
27 Safety.

28 (c) "Department" means the Department of Public Safety.

29 (d) "Team" includes the statewide team and any circuit  
30 teams.

31 (e) "Statewide team" means the statewide domestic  
32 violence fatality review team established in subsection (3) (a) of  
33 this section.

34 (3) (a) A statewide domestic violence fatality review team  
35 is established within the department for administrative purposes.

36 (b) The statewide team shall be no less than five  
37 members, including the commissioner. The commissioner shall:

38 (i) Designate four (4) other initial members of  
39 the statewide team who may appoint designees; and

40 (ii) Chair the initial meeting of the statewide  
41 team.

42 (c) At its first meeting, the initial members of the  
43 statewide team shall:

44 (i) Appoint additional members, if any, to the  
45 statewide team;

46 (ii) Elect a chair who may be an additional member  
47 who has accepted appointment to the team.

48 (d) The statewide team shall have an odd number of  
49 members.



50 (4) Additional teams may be established within the circuit  
51 court districts of this state. One or more circuit court  
52 districts may establish a joint team. The circuit teams shall be  
53 established by order of the senior circuit court judge of the  
54 district or, in the case of one or more districts creating a joint  
55 team, a joint order of the senior circuit court judges of the  
56 districts. The order establishing a circuit team shall designate  
57 the members of the team and a chair for the team.

58 (5) (a) The membership of a team shall be inclusive and  
59 reflect the racial, geographic, urban, rural, and economic  
60 diversity of the state or circuit court district or districts.

61 (b) Any member of a team may appoint designees to the  
62 team in writing to the chair. A designee who fails to provide  
63 written notification to the chair of the team shall not be  
64 afforded the civil immunity under subsection (7) of this section.

65 (c) The Governor, Lieutenant Governor, Speaker of the  
66 House, and the Attorney General may recommend persons to the  
67 commissioner to be appointed as initial members of the statewide  
68 team.

69 (d) Circuit teams should function in conjunction with  
70 local law enforcement agencies, any local or statewide domestic  
71 violence center, and local judicial officers including the court,  
72 prosecutor, and public defender.

73 (6) (a) A team shall review fatal and near-fatal incidents  
74 of domestic violence, related domestic violence matters, and



75 suicides within its jurisdiction. The review may include an  
76 examination of events leading up to the domestic violence  
77 incident, available community resources, current laws and  
78 policies, and actions taken by organizations, agencies, and  
79 individuals incident to the events and the parties. Any  
80 information or action deemed relevant by the review team,  
81 including an assessment of public records and records for which  
82 public records exemptions are granted may also be included within  
83 the purview of the review.

84 (b) The purpose of a team under this section shall be  
85 to learn how to prevent domestic violence through early  
86 intervention and improving the quality of the response by  
87 individuals and institutions to domestic violence. The specific  
88 structure and operating procedures employed by a review team shall  
89 be determined by the team. The team may determine the number and  
90 type of incidents it wishes to review and shall make policy and  
91 other recommendations on how the community and state may more  
92 effectively respond to the needs of domestic violence victims.

93 (7) Any member of a team or any person acting as a witness  
94 to or investigator for a team, in addition to any immunity  
95 provided otherwise in state law, is not liable to any person for  
96 damages as a result of any action taken within the scope of the  
97 functions of that team if such action was taken without malice,  
98 wantonness, or in a reasonable belief that such action or  
99 recommendation is warranted by the facts made known to him or her.



100           (8) Information, testimony, records, reports,  
101 recommendations, or other evidence obtained, generated, or  
102 transmitted by a team shall not be subject to discovery, subpoena,  
103 or introduction into evidence in any civil action, or in any  
104 administrative or disciplinary proceeding by any department or  
105 employing agency if the information or records arose out of  
106 matters that are the subject of evaluation and review by the  
107 review team. However, information, documents, and records  
108 otherwise independently discovered and available from other  
109 sources shall not be exempt from discovery, subpoena, or  
110 introduction into evidence solely because the information,  
111 documents, or records were presented to or reviewed by a team.

112           (9) A person who attends or participates in a meeting of a  
113 team may not testify in any civil or criminal action or  
114 administrative or disciplinary proceedings concerning any records  
115 or information produced or presented to the review team or the  
116 proceedings or deliberations of the review team authorized by this  
117 section. This subsection does not preclude or exempt any person  
118 who testifies before a review team or who is a member of a review  
119 team from testifying to matters otherwise within his or her  
120 knowledge.

121           (10) Any information or records otherwise confidential or  
122 privileged or exempt from disclosure under Mississippi law which  
123 are obtained by or provided to a team conducting activities as  
124 described pursuant to this section shall remain confidential or



125 privileged or exempt from disclosure as otherwise provided by law.  
126 Any portion of a report produced by the team that contains  
127 information that is otherwise confidential or privileged in  
128 accordance with Mississippi law shall remain confidential or  
129 privileged as otherwise provided by law.

130 (11) A team may consider including in its membership or  
131 consulting with, in effectuating the purposes of this section, the  
132 following persons or entities:

133 (i) Law enforcement agencies;

134 (ii) The department, the Attorney General, and the  
135 President of the Mississippi District Attorney's Association, or a  
136 district attorney;

137 (iii) The Mississippi Forensics Laboratory;

138 (iv) Certified domestic violence centers;

139 (v) Child protection service providers;

140 (vi) The Administrative Office of Courts;

141 (vii) The justice, municipal, chancery and circuit  
142 clerks of the court;

143 (viii) Victim service programs;

144 (ix) Providers of civil legal assistance to  
145 victims;

146 (x) Child death review teams;

147 (xi) Members of the business community;

148 (xii) County probation or corrections agencies;



149                   (xiii) Any other persons who have knowledge  
150 regarding domestic violence fatalities, nonlethal incidents of  
151 domestic violence, or suicide, including research, policy, law,  
152 and other matters connected with fatal incidents;  
153                   (xiv) The humane societies or shelters;  
154                   (xv) Certified perpetrator intervention programs;  
155                   (xvi) The Mississippi Coalition Against Domestic  
156 Violence;  
157                   (xvii) The State Medical Examiner, coroner, or  
158 county medical examiner;  
159                   (xviii) The Mississippi Department of Human  
160 Services;  
161                   (xix) The Mississippi Department of Child  
162 Protection Services; and  
163                   (xx) Other representatives as determined by the  
164 review team.

165           **SECTION 2.** This act shall take effect and be in force from  
166 and after July 1, 2025.

