

**Domestic Violence Coordinating Council
Fatal Incident Review Team**

POLICY AND PROCEDURE

Conducting Joint Reviews with Child Death, Near Death, Stillbirth Commission

Purpose:

Noting a significant link between domestic violence and child abuse, these reviews will focus on identifying potential system issues in an effort to prevent a similar death from occurring.

Policy:

Any case involving the death of a minor (under age 18) related to domestic violence will be reviewed jointly by a regional child death review panel (CDR panel) of the Child Death, Near Death and Stillbirth Commission (CDNDSC), and the Fatal Incident Review Team (FIRT) of the Domestic Violence Coordinating Council (DVCC).

Joint reviews will be conducted in instances where the minor's parents or guardians were involved in an abusive relationship and the homicide or suicide of a minor is directly related to that abuse.

Legislative Authority:

13 Del. C. § 2105 (a)

Procedure:

1. The CDNDSC Executive Director and DVCC Projects Coordinator will meet quarterly to discuss potential cases, determine timing of reviews and coordinate reviews.
2. The DVCC determination that a case involves the death of a minor directly related to the abusive relationship of the minor's parent(s) and/or guardian(s), thereby requiring a joint review, will be made by either DVCC and CDNDSC staff jointly.
3. Joint reviews will be conducted only after the Office of the Attorney General has authorized the case for review.
4. DVCC staff with the assistance of FIRT members will acquire written case information and as accurately as possible, identify witnesses and non-panel members whose participation would be beneficial to the review of the case(s). CDNDSC staff and CDR panel members will acquire case information from their agencies and/or through subpoenas, and CDR panel members will complete datasheets as needed/appropriate. CDNDSC and DVCC will coordinate participation by witnesses/subject matter experts as needed.

5. If a CDNDSC CDR panel has already conducted a child death review on a case requiring a joint review (e.g. expedited review), the findings and recommendations from that review will be presented to the joint review team by CDNDSC staff.
6. Joint reviews will be conducted by one of the three CDNDSC CDR panels and the FIRT Team combined. All joint review participants will be required to sign the Confidentiality Agreement.
7. CDNDSC staff will determine which of the three regional CDR panels will participate in each joint review on a case by case basis. Factors to be considered involve the following: panel that conducted the expedited review, geographic location of child/family, death related to abuse/neglect and/or current caseload of each panel.
8. Written case records, summaries and/or datasheets will be available for review, by all joint review participants, one hour prior to the meeting. Participants providing case information will be asked to present an oral summary of such information during the review. Panel members may ask questions following each participant's oral case summary.
9. Joint reviews will be facilitated by both the Chair of the CDNDSC CDR panel and the Chair of the FIRT. Both DVCC and CDNDSC staff will provide support services for the joint review meetings.
10. To remain consistent with the CDNDSC process, members of the CDR panel will be asked to vote on the preventability of the death, in accordance with CDNDSC definitions. FIRT Team members will not participate in the voting process.

Following presentations of information and discussion, the voting process to be followed by the panel chair is as follows:

- a. The chair asks the panel if they are ready to vote. If "no", chair continues to lead discussion or review is deferred.
- b. If "yes", the chair will ask:
 - What factors, if any, contributed to the death?
 - Were reasonable standards of practice met by the systems involved?
 - Do we see an opportunity for system improvement?
- c. The panel will vote to make a determination of preventable, not preventable, or undecided. Once a vote is taken, there will be no additional discussion or questions.
- d. Exceptions to voting will be cases of SIDS and SUID. In these circumstances, the panel will identify and document any risk factors (as identified by the American Academy of Pediatrics) present in the case. These risk factors will be tracked by CDNDSC staff.
- e. Recommendations shall be clearly written with enough information so that others not involved in the review will understand the intent and logically

relate to the incident. Recommendations must be measurable and address changes to specific systems.

- f. An affirmative vote of sixty percent of those present is needed to adopt any recommendations.
11. Joint reviews will be scheduled quarterly, at a regular time and place, to be facilitated by DVCC Project Coordinator in collaboration with the CDNDSC Executive Director.
12. The joint review process, and any original records or records created therein, shall be confidential. 31 Del. C. § 324 and 13 Del. C. § 2105 (h)
12. Recommendations from the joint review shall be presented to both CDNDSC and the FIRT team members for review and approval.
13. Those recommendations approved by both CDNDSC and DVCC shall be presented in the form of a joint report. If DVCC and CDNDSC do not agree on the recommendations, each shall issue separate recommendations in compliance with applicable Delaware Code. Both sets of recommendations will be submitted to the DVCC and CDNDSC. In addition, CDNDSC staff will forward the Commissions' recommendations to the Governor if the near death or death was due to abuse/neglect.
14. Training for all FIRT Team members and CDR panel members will be developed as needed, implemented and funded collaboratively by DVCC and CDNDSC staff.