

Oklahoma Domestic Violence Fatality Review Board
313 N.E. 21st Street, Oklahoma City, Oklahoma 73005
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MEETING MINUTES

November 29, 2023

Meeting Venue: YWCA OKC
2460 NW 39th St, Oklahoma City, OK 73112

MEMBERS

Celia Cobb (OCME) [P]	Scott Hawkins (OSA) [P]	Angela Beatty (OCADVSA alt.)
Melissa Van Duyne (OAG Alt.) [P]	Melanie Ferguson (ODMHSAS) [A]	[P]
Jill Nobles Botkin (OSDH alt.) [A]	Don Sweger (OACP) [A]	Brandon Pasley (OCADVSA) [P]
Emily Nicholls (OSDH IPS alt.) [P]	Julie Goree (OBA) [A]	Sheila Stinson (Supreme Court) [P]
Marissa Belase (OKDHS alt.) [P]	Sean Webb (DAC) [P]	Shelly Harrison (NAAV) [A]
Beth Green (OSBI) [P]	Martina Jelley (OSMA) [P]	Tania Bardin (NAAV) [P]
Natasha Ferguson (OJA) [P]	Sara Coffey (OOA) [A]	
	Janice Carr (ONA) [A]	
	Laura Kuester (OCADVSA) [P]	

I. Call to Order and Confirmation of Compliance with Open Meeting Act

Chair Brandon Pasley presided over the regularly scheduled meeting of the Oklahoma Domestic Violence Fatality Review Board, which was held at the YWCA OKC in Oklahoma City, OK on November 29, 2023. Notice of the meeting was posted annually with the Secretary of State before the December 15, 2022, deadline and at the front door of the Office of the Attorney General more than 24 hours in advance. Chair Brandon Pasley (OCADVSA) called the meeting to order at 9:12 am.

II. Roll Call and Establishment of Quorum

Roll call was conducted at 9:12 am. Quorum was achieved at roll call with 13 members present. One alternate designee was present but was not counted towards quorum at the time of roll call due to the primary designee being present. Others present included Anthony Hernández Rivera, OAG DVFRB Program Manager (PM) and Nicholas Massey, OAG Research Analyst. Quorum was maintained throughout the meeting.

III. Discussion and Possible Action on Approval of Minutes from the October 25, 2023, Regular Meeting*

Beth Green (OSBI) moved to approve the minutes from the October 25, 2023, DVFRB Regular meeting at 9:15 am. Judge Sheila Stinson (Supreme Court) seconded the motion. The motion to approve the minutes passed by roll call vote (13 Aye, 0 Abstain, 0 Nay).

IV. Continued Discussion and Possible Action on Proposed 2024 DVFRB Meeting Schedule*

DVFRB PM Anthony Hernández Rivera reminded members that DVFRB staff are required by state law to submit the next calendar year's meeting dates to the Oklahoma Secretary of State (SOS) by December 15, 2023. The PM reminded the membership a preliminary discussion on the meeting dates took place in the previous regular meeting and that it was time to make a final

decision so that staff could submit the dates to the SOS. Mr. Hernández gave members a handout with the 2024 dates and provided an overview of what was discussed in the previous meeting. He stated it was agreed that the DVFRB community review would remain in June and the May regular meeting would be on May 29 to allow the DVFRB PM to attend the Crimes Against Women Conference in Dallas during the fourth week of the month. Mr. Hernández stated an upcoming goal will be to review a case during February, March, or April that could be slated for a community review in the area where the fatality occurred. This community review would be scheduled for June. Finally, he reminded members the DVFRB's first meeting in 2024 would be the joint meeting with the Child Death Review Board (CDRB).

Beth Green (OSBI) made a motion to approve the proposed 2024 DVFRB meeting dates at 9:28 am. Lt. Scott Hawkins (OSA) seconded the motion. The motion passed by roll call vote (13 Aye, 0 Abstain, 0 Nay).

V. Continued Discussion and Possible Action on the 2023 Domestic Violence Fatality Review Board Annual Report, including Board Recommendations, Spotlight Candidates and Member Activities*

DVFRB PM Anthony Hernández Rivera started by first giving an overview of how the DVFRB crafts recommendations. He stated that in recent years the Board begins to have a conversation about recommendation candidates during the October meeting. During that meeting, recommendation candidates are organized and are discussed individually. Afterwards, the membership instructs the PM which ones the Board would like to see developed into formal drafts. He stated each recommendation draft is a policy paper that outlines the Board's reasoning behind the recommendation and actionable steps needed to implement them. He reminded members that during the last meeting he was asked to develop a recommendation targeting the 9-1-1 system and another one where the DVFRB expresses support for increasing funding to domestic violence (DV) service providers. The DVFRB also instructed the PM to draft a recommendation on strengthening current DV laws for further consideration.

The PM stated the first recommendation draft under consideration was the one targeting the 9-1-1 system. He asked members to take a few minutes to read the draft recommendation and then have a discussion on feedback they would like to see incorporated. After the Board finished reading, the DVFRB PM asked members whether they wanted to adjust the language on the specifics behind the 9-1-1 call that prompted this recommendation. He stated he had concerns about providing details of what was specifically said during the call because it may lead to the direct identification of the case and the responding law enforcement agency. He added if that happened it would come across as singling out an agency in a negative way. Beth Green (OSBI) agreed with the PM's concerns. Laura Kuester (OCADVSA) stated she thought keeping the details made the recommendation more impactful. Emily Nicholls (OSDH-IPS) agreed keeping the details was impactful, but also stated there were details that could potentially not be mentioned to avoid identification of the case.

Beth Green (OSBI) mentioned the recommendation should weave in more details regarding the role 9-1-1 plays in the safety of first responders like officers on patrol. She added this should also be emphasized in the recommendation language, as well as in the purpose and rationale sections. The PM asked members whether they wanted an entire paragraph dedicated to just the officer safety component. Members discussed concerns about doing that and potentially overriding the attention the Board wanted to bring on the 9-1-1 issue. It was agreed to add several lines of text in appropriate areas addressing the officer safety component instead of writing an entire section on it. Members also suggested it might be good to have subsections within the rationale to organize

the flow of the writing. Mr. Hernandez agreed that was a good idea and noted he would create the subsections. Scott Hawkins (OSA) mentioned the importance of mentioning the duality between 9-1-1 call-takers and dispatchers. He stated it was important to remember the difference between 9-1-1 telecommunicators and dispatchers. Beth Green (OSBI) mentioned she would like the focus to be on 9-1-1. The PM took notes on the recommended feedback for this recommendation and told members he would work towards incorporating edits for the final publication.

The PM mentioned the Board had to decide on whether to keep details about the 9-1-1 call that prompted this recommendation. DVFRB Chair Brandon Pasley (OCADVSA) stated he would entertain a motion to make a formal decision on the matter. A motion was made at 10:00 am on deciding whether to remove the details about the 9-1-1 call or keeping the current version. The motion was seconded. The motion passed by roll call vote (7 Aye, 0 Abstain, 6 Nay). The PM noted he would remove the language from the version they had read.

DVFRB PM Anthony Hernández Rivera proceeded to give an overview of the recommendation targeting victim services funding in Oklahoma. He began by saying there were parts of the recommendation that still needed to be drafted, but that the current version would give them an idea of the points the Board will try to get across once it was completed. The PM stated the goal is to have a published document where individuals can learn about how victim services in Oklahoma are funded. Mr. Hernández told members he quickly learned from his research that it is hard to find information that outline how domestic violence (DV) and sexual assault (SA) services in Oklahoma are funded and the challenges with current levels of funding. He said the goal of this recommendation is to serve as a reference point for the public, professionals, and lawmakers on how DV/SA services are funded, as well as make an argument that the state should play a more prominent role in this area. He asked members to take a few minutes to read the document and then have a discussion on feedback they would like to see incorporated.

Angela Beatty (OCADVSA) mentioned it be good to specify somewhere in the text that victim advocacy is a proven tool for homicide prevention. She added it might be good to incorporate statistics and research highlighting the homicide prevention aspect to justify the need for more funding. Laura Kuester (OCADVSA) added it might be good to draft a section highlighting challenges rural DV/SA programs confront when trying to provide services. She mentioned the focus could be about the scarcity of resources in comparison to programs located in urban areas. There was also conversation about doing a similar section focusing on tribal programs. Mr. Hernández stated this would be a great idea for a future edition of the DVFRB report. He added that to draft those sections he would need DV/SA program executive directors to be involved since they would be best equipped to write about the challenges they face when running their programs. Judge Sheila Stinson stated the draft needed to be more specific on what it was asking for because the legislature gets hundreds of requests for more funding every year. Members discussed the possibility of adding a specific dollar amount on the language of the recommendation. The PM mentioned there was no precedent where the Board has asked for a specific amount. Martina Jelley (OSMA) mentioned figure 2 should be edited to better represent the funding trend in recent years. She pointed out the current version made it seemed like the funding had increased significantly recently even though the numbers say otherwise. The membership agreed with this comment and the PM stated he would work on this graph further to accurately show the trend.

The DVFRB PM proceeded to give an overview of the third recommendation candidate where the Board would call for strengthening DV laws. Mr. Hernández reminded members that during the last meeting they asked to see a draft of this recommendation to have a further discussion on whether this would be something the Board would want to recommend. He added the Board had concerns about the unintended consequences of this recommendation, including the impact it would have on victim survivors who are criminalized. The PM said he wrote this recommendation

alongside Assistant District Attorney (ADA) Ashley Nix. He said ADA Nix was currently the Director of the Domestic Violence Unit at the Tulsa County District Attorney's Office. Mr. Hernández told members he talked with ADA Nix about the Board's concerns, and they were addressed in the draft. He asked members to take a few minutes to read the recommendation and then have a discussion on feedback they would like to see incorporated. DVFRB Chair Brandon Pasley (OCADVSA) opened the discussion by asking ADA Sean Webb (DAC) for his thoughts on the recommendation as a practicing DV prosecutor. ADA Webb stated having a range of options as a prosecutor is an advantage when trying to prosecute a defendant. He agreed with the sections arguing for making DV crimes 85% crimes and making sure all of them are classified as violent crimes. Beth Green (OSBI) asked whether there were concerns about how strengthening the laws could result in fewer charges being filed and offenders being held less accountable because prosecutors would have difficulty meeting the heavier burden of proof. ADA Webb stated strengthening the law will naturally carry that risk but broadening the range of punishment gives prosecutors additional prosecution tools depending on the facts of the case. Beth Green (OSBI) asked members whether mutual combat or victims fighting back that are subsequently criminalized had been addressed. Emily Nicholls (OSDH-IPS) stated she had concerns about the section where the criminalization of DV victims is addressed. She suggested more language and research on this matter be added to ensure the DVFRB recognizes that this is a problem that does happen. Mr. Hernández mentioned edits could be incorporated to make sure this is addressed. Judge Sheila Stinson (Supreme Court) mentioned some language should be added highlighting how reclassifying several DV crimes to violent crimes would ensure the charges could not be expunged based on 22 O.S. §18. Judge Stinson added this would notify the public about a person's prior convictions. The DVFRB membership agreed to go ahead with including this recommendation in the 2023 edition of the DVFRB Report.

Members agreed that the final version of the recommendations would be reviewed by the Chair and Vice Chair for any additional feedback before the final publication. Mr. Hernández reminded members to please submit a members activity form if they wished to have some of their work highlighted in the report. He also mentioned he would continue working on the spotlight drafts he was directed to draft in the last meeting, including one on Operation 922 and another one on prevention initiatives in Oklahoma.

VI. Consideration of Motion to Adjourn to Executive Session*

Pursuant to 25 O.S. § 307B for the purpose of case review

- a. Adjourn to Executive Session***
- b. Continued Review and Discussion of case #200086**
- c. Follow-up Update of case #20007**
- d. Follow-up Update of case #20008**
- e. Discussion of Potential Candidate Cases to Review in 2024-2025**
- f. Review and Discussion of case #200099**
- g. Consideration of return from executive session and return to regular meeting agenda.**

A motion was made to adjourn to executive session at 11:42 am. The motion was seconded. The motion passed by roll call vote (13 Aye, 0 Abstain, 0 Nay). Quorum was maintained throughout the executive session. The Board concluded and came out of executive session at 12:04 pm.

VII. Announcement by Chair as to the necessity of any Board action as a result of Executive Session. Vote as a result of Executive Session*

No action was taken as a result of executive session.

VIII. New Business Not Known or Which Could Not Have Been Reasonably Foreseen Before the Posting of the Agenda *in Accordance with 25 O.S. § 311(9).*

No new business.

IX. Announcements

No announcement.

X. Adjournment*

Beth Green (OSBI) made a motion to adjourn at 12:04 pm. Emily Nicholls (OSDH IPS) seconded the motion. DVFRB Chair Brandon Pasley declared the meeting adjourned at 12:04 pm.