

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

September 27, 2023

Meeting Venue: YWCA OKC (Rotary Room)
2460 NW 39th St, Oklahoma City, OK 73112

MEMBERS

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

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

Vice-Chair Brandon Pasley presided over the regularly scheduled meeting of the Oklahoma Domestic Violence Fatality Review Board, which was held at the YWCA Oklahoma City, OK on September 27, 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. Vice-Chair Brandon Pasley (OCADVSA) called the meeting to order at 9:13 am.

II. Roll Call and Establishment of Quorum

Roll call was conducted at 9:13 am. Quorum was achieved at roll call with 15 members present. Sara Coffey (OOA) arrived after roll call was conducted. Ms. Coffey arrived at 9:19 am. Total quorum was 16 members present. Others present included Anthony Hernandez Rivera, OAG DVFRB Program Manager and Nicholas Massey, OAG Research Analyst.

III. Discussion and Possible Action on Approval of Minutes from the August 23, 2023, Regular Meeting*

Beth Green (OSBI) moved to approve the minutes from the August 23, 2023, DVFRB Regular meeting. Scott Hawkins (OSA) seconded the motion. The motion to approve the minutes passed by roll call vote (11 Aye, 4 Abstain, 0 Nay).

IV. Discussion on Possible Selection of DVFRB Chair and Vice-Chair due to the retirement of DVFRB Chair Donna Glandon*.

DVFRB PM Anthony Hernández let members know that Donna Glandon (OJA) had recently retired from the Office of Juvenile Affairs (OJA). He reminded the membership that was selected to be DVFRB Chair when the current two-year term began in the summer of 2022. Mr. Hernández stated that during his time working for the OAG DVFRB a Chair had never retired in the middle of a term. As a result, he verified both the DVFRB statute and internal bylaws to see what they said about the selection of the Chair. Mr. Hernández proceeded to show a slide that showed what

is written in these two documents. He further explained that he had conversations with two OAG Deputy General Counsels on the matter. They advised that based on the language in the bylaws DVFRB Vice-Chair Brandon Pasley would succeed Donna Glandon as DVFRB Chair for the remainder of the term. Mr. Hernández added the Deputy General Counsel also stated the DVFRB is able to select an Interim Vice-Chair to serve out the remainder of the term. The DVFRB PM stated a motion, and a vote would be required to select someone from the membership.

DVFRB Chair Brandon Pasley (OCADVSA) thanked Anthony for the explanation and asked if the Board wished to nominate someone. He also added that, based on her years of experience on the DVFRB, Marissa Belase (DHS) would be good candidate to serve as Interim Vice-Chair if she wishes to be nominated. Marissa Belase (DHS) stated she would be open to serving, but she would like to learn more about what the position entails before making a formal commitment. She also added she wished to talk to her supervisor at DHS on the matter since she is technically serving as an alternate to Jennifer Postlewait (DHS). Ms. Belase also commented she would like to speak with Leslie Hargis (DHS) about the matter since she has been the one attending the meetings on a regular basis.

The rest of the DVFRB membership did not have any other comments regarding the matter. Mr. Hernández commented that the board would be able to revisit the matter during the October meeting. Chair Brandon Pasley (OCADVSA) agreed that an agenda item regarding the selection of the Vice-Chair would be on the upcoming meeting agenda. There was no further discussion on this agenda item.

V. Discussion on Future DVFRB Case Review Volume and Geographic Strategy

DVFRB PM Anthony Hernández began his presentation on this agenda item by stating the board has historically only reviewed 1 case a month. He added the one case is predominantly an intimate partner or triangle homicide, in other words directly tied to some form of intimate partner violence (IPV). Mr. Hernández said the current review pace means the Board only reviews about ten to eleven cases per year and they are only related to IPV. He added this means the Board only reviews a small sample of IPV related cases, which average about 40 each year. Mr. Hernández also pointed out that focusing on IPV-related cases means we rarely review family homicides during meetings. The DVFRB PM stated he wishes to address this by moving the Board in a direction where it reviews 2 and possibly even 3 cases a month.

DVFRB members expressed concerns about the feasibility of reviewing more than one case a month. Emily Nicholls (OSDH-IPS) and Shelly Harrison (NAAV) stated the Board often does not get the homicide case files until very close to the meeting and the files are hundred of pages long. They stated it would be difficult to adequately prepare for meeting if they are getting that amount of material per case for a meeting. Marissa Belase (DHS) agreed and added this might lend itself for it to be difficult to distinguish between cases when there are a lot of parties involved. Mr. Hernández commented the OAG DVFRB is slated to potentially get an additional staff member in 2024. He stated he hopes having more help will free up Research Analyst Nicholas Massey to help him with homicide case file timeline development. The PM stated having additional help in this area would enable him to eventually create large pool of cases that are ready to be reviewed. In that instance, he would be able to distribute meeting materials potentially at least two weeks in advance of meetings. Beth Green (OSBI) stated she understood the wish to review more cases but was worried that the depth of reviews could be potentially affected.

Mr. Hernández commented another issue is that there are some cases that need to be reviewed, but

the litigation at the district court level has been ongoing for several years now. He said he is concerned those would potentially not be looked at as we start reviewing more recent cases. Mr. Hernández mentioned the possibility of the Board reviewing cases where the offender's prosecution is still ongoing. Shelly Harrison (NAAV) and other members expressed concern about doing this since it would mean potentially reviewing cases without all the information. Karen Cunningham (OAG) and others had concerns about whether reviewing a case might jeopardize the prosecution. Mr. Hernández acknowledged the concerns and thanked the Board for their feedback.

Mr. Hernández proceeded to discuss the second part of the agenda item. He explained he wants to work towards having a more formal method in the way the Board chooses cases to review. He explained that in recent years the PM has chosen cases for review based on how much interaction there is between state systems and the victim and perpetrator. The PM mentioned he would like to work towards having a more regional approach where we review cases based on where they happen in the state. He added that would likely reveal regional trends and will help have more systematic approach as we go from month to month reviewing cases. He presented several examples of how other state agencies divide the state geographically for the purposes of their work. The PM showcased slides with examples, including the of the Child Death Review Board Regional Teams; Oklahoma State Bureau of Investigation (OSBI) Investigative Regions; Oklahoma Highway Patrol (OHP) Troop Areas; District Attorney Districts; Office of Homeland Security Regional Response System Map; and the Oklahoma Department of Human Services Child Welfare Services Regions. DVFRB members liked the idea of moving towards a regional approach. They commented they would for the DVFRB to have their own map instead of adopting one from another agency. Mr. Hernández commented he thought Oklahoma and Tulsa County would likely have to be their own separate area due population and having the number of homicides and domestic violence (DV) crimes. Beth Green (OSBI) agreed with this comment and stated that whatever map we went with ideally it would not be too fragmented. Janice Carr (ONA) stated a regional map would help take into consideration cultural factors and the fact that access to services vary across the state. Mr. Hernández stated he would continue doing research and hoped to design a map based on DV crime data trends. He added he would eventually submit a proposal to the Board for their consideration. There was no further discussion on this agenda item.

VI. Early Discussion on Possible Recommendations for the 2023 Edition of the DVFRB Annual Report*

DVFRB PM Anthony Hernández began his presentation of this agenda item by explaining the way the Board has historically chosen what recommendations will be in the DVFRB Annual Report. He stated the Program Manager takes notes of meetings and in the leadup to the preparation of the report he does content analysis of his notes to see what could be potentially developed into a recommendation. Mr. Hernández stated that, in the early history of the Board, recommendations could be a line or two of text. He said in recent years recommendations are brief policy papers with sections outlining the purpose, rationale, and implementation. He added he starts having conversations about potential recommendations starting in September, two or three are chosen in October and then drafts are developed for the November meeting.

Mr. Hernández began by presenting recommendation candidates. He first talked about a potential recommendation targeting 911 communication operators and pointed out there was some precedent for doing this, including short recommendations in 2005, 2008 and 2012. Afterwards he talked about a recommendation addressing firearm possession in the context of intimate partner violence situation (IPV). He explained this recommendation could potentially mirror the Federal Operation 911 Domestic Violence Initiative for Western Oklahoma. Mr. Hernández explained this initiative aims to prosecute domestic violence perpetrators who violate federal firearm or ammunition laws in DV situation. He further added Oklahoma City Police Department (OCPD)

Chief Wade Gourley commented to the DVFRB PM the effectiveness of this initiative. DVFRB members discussed the difficult climate for passing any kind of restrictions on firearm possession in Oklahoma. Brandon Pasley (OCADVSA) and Emily Nicholls (ODSH-IPS) commented that in recent years some DV experts have focused on encouraging gun safety laws as a way to curve suicides and also not have firearms as readily accessible inside a home with volatile DV situations. The third recommendation that was presented was making DV a crime against society. The PM asked Scott Hawkins (OSA) if he wanted to comment on this one since this has been his idea. He explained that while doing research to rewrite the protective order law he found several states that had provisions in their law to prosecute DV as a crime against society. He explained that would help avoid depending solely on victims to prosecute and it sends a signal that we as society will not tolerate DV. Mr. Hawkins explained laws in Oklahoma are more stringent when punishing someone for abusing an animal than an intimate partner. Several members expressed concern about victim's autonomy if the choice on whether to prosecute or not is also taken away. Scott Hawkins stated there must be a way to find a balance, but that he would rather try and do something different instead of sticking to the status quo that is obviously not working.

The fourth recommendation discussed was regarding having an awareness and education campaign on domestic violence in Oklahoma. The PM mention it be similar to current efforts by the Department of Mental Health and Substance Abuse Services (ODMHSAS) to prevent fentanyl overdoses. He stated the DVFRB made numerous recommendations along these lines throughout the years 2000. Mr. Hernández emphasized Oklahoma is experiencing a DV epidemic and people only talk about the problem when there is a high-profile murder-suicide. The fifth recommendation discussed was crafting something that promotes early childhood intervention via the education system. The idea behind this recommendation would be to promote strategies that address domestic violence before it starts through education on healthy relationships and helping kids who might be witnessing DV in their homes. Mr. Hernández stated there is precedent for this based on numerous recommendations in the past encouraging healthy relationships education in Oklahoma. Finally, the PM stated the last three recommendations were ideas to address the bond process in the aftermath of a DV arrest, the need for more community-based advocates, and increasing domestic violence misdemeanor punishment ranges.

The PM then showed the Board a picture of what the most recent recommendations looked like and asked for feedback. Emily Nicholls (OSDH-IPS) stated it be great if the recommendation candidates could be distributed via email to have more time to brainstorm and provide comments. Mr. Hernández stated he would create a document with what was listed on the presentation and distribute it. He added the Board would have to decide which two or three will be developed in the recommendation at the October meeting. The PM said the idea is to have full draft by the November meeting. There was no further discussion on this agenda item.

VII. 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. Review and Discussion of case #20007**
- c. Review and Discussion of case #20008**
- d. Consideration of return from executive session and return to regular meeting agenda.**

Beth Green (OSBI) made a motion to adjourn to executive session at 11:01 am. Sara Coffey (OOA) seconded the motion. The motion passed by roll call vote (16 Aye, 0 Abstain, 0 Nay). The Board concluded and came out of executive session at 11:42 am. No action was taken as a result of executive session.

VIII. 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 announcement.

IX. 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.

X. Announcements

DVFRB Chair Brandon Pasley (OCADVSA) announced the October 3 Domestic Violence Awareness Month Award Ceremony at the Oklahoma Attorney General's Office. He mentioned it would be held at 10:00 am. Mr. Pasley also mentioned the October 17 Wreath of Hope Ceremony that is organized by YWCA Oklahoma City. He mentioned it would take place a 3:00 PM. No further announcements were made.

XI. Adjournment*

Beth Green (OSBI) made a motion to adjourn. Shelly Harrison (NAAV) seconded the motion. DVFRB Vice-Chair Brandon Pasley declared the meeting adjourned at 11:44 am.