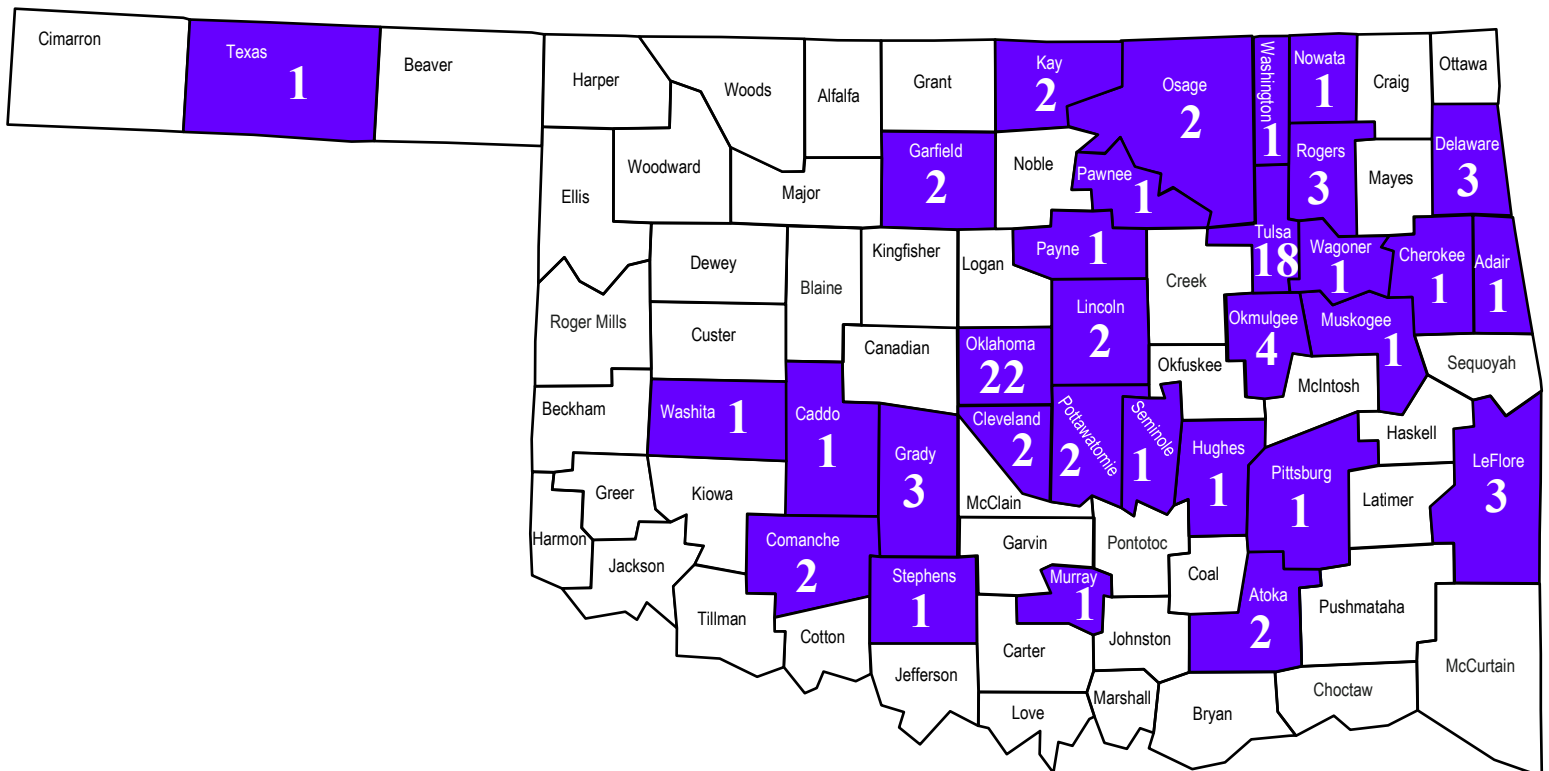


# DOMESTIC VIOLENCE

## HOMICIDE IN OKLAHOMA

A Report of the Oklahoma Domestic Violence  
Fatality Review Board



An Analysis of 2018 Domestic Violence  
Homicides

Report Year 2019

## Oklahoma Domestic Violence Fatality Review Board

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**Cover:** *The highlighted counties and statistics on the report cover represent the **88 victims** (men, women, and children) in our state identified by the Oklahoma Domestic Violence Fatality Review Board who died because of domestic violence in 2018.*

## Oklahoma Domestic Violence Fatality Review Board

### INTRODUCTION



“The significance of the Oklahoma Domestic Violence Fatality Review Board’s work is immeasurable. By compiling and analyzing this important data, the Review Board provides an overview of where we have made improvements and where we need to focus our attention to better serve victims of domestic violence moving forward. The thoughtful recommendations further policy discussions and best practices among law enforcement, government agencies, and advocacy organizations. My sincere gratitude extends to the board members for lending their passion, time, and expertise to reducing domestic violence homicides in Oklahoma.” – Attorney General Mike Hunter

The Oklahoma Domestic Violence Fatality Review Board presents the 2019 edition of the statewide publication, *Domestic Violence Homicide in Oklahoma: An Analysis of 2018 Domestic Violence Homicides*. This report outlines findings and recommendations assembled from our review of Oklahoma domestic violence-related homicide cases identified in 2018.

The purpose of the Review Board is to prevent future domestic violence fatalities by identifying gaps in services and crafting recommendations to improve the coordinated response of individuals, organizations, and agencies in Oklahoma.

One of the most salient lessons from reviewing domestic violence homicides in Oklahoma for over 20 years is that the “safety net” for victims is held up by many supports, including the legislature, criminal justice system, law enforcement, domestic violence services, medical, mental health and substance abuse services, and others. History has proven victims and children are safer when we work together.

We hope this report will guide Oklahoma’s legislature, systems, agencies, and communities to continue implementing changes in practice and policy that strengthen our state’s comprehensive and coordinated response to those who continue suffering from the effects of domestic violence.

Thank you to our stakeholders for your commitment to these issues and for your tireless efforts to create a safer Oklahoma for victims and children.

Sincerely,

The Oklahoma Domestic Violence Fatality Review Board

## Oklahoma Domestic Violence Fatality Review Board

### BOARD MEMBERS Serving January through December 2019

Eric Pfeifer, M.D. Marc Harrison, M.D. (Designee)	Chief Medical Examiner
Terri White, M.S.W. Gwendolyn Downing, LPC (Designee) Lauren Garder, M.A., LPC (Alt. Designee)	Commissioner, Department of Mental Health and Substance Abuse Services
Gary Cox [Current] Tom Bates, J.D. [Interim] Maria Alexander, M.H.R., M.E.P.P. (Designee) Brandie Combs, MPH (Designee)	State Commissioner of Health
Pam Archer, M.P.H., Director Brandi Woods-Littlejohn, M.C.J. (Designee/Chair)	Chief, Injury Prevention Services of the State Department of Health
Ricky Adams Beth Green (Designee/Chair)( since October 2019)	Director, Oklahoma State Bureau of Investigation
Melissa Blanton, J.D., A.A.G.	Office of the Attorney General, Chief, Victim Services
Justin Brown [Current] Ed Lake, M.S.W. [Past] Jennifer Postlewait, M.S.W. (Designee) Patricia Valera, B.S. (Alt. Designee) Marissa Edstedt, (Alt. Designee)	Director, Department of Human Services
Steve Buck Donna Glandon, J.D. (Designee)	Executive Director, Office of Juvenile Affairs
Mike Booth, Sheriff (Designee) Scott Hawkins, Lieutenant (Alt. Designee)	Oklahoma Sheriffs Association
W. Don Sweger, Chief (Designee)	Oklahoma Association of Chiefs of Police
Karen Mueller, J.D. (Designee)	Oklahoma Bar Association
Jeff Smith, DA, District 16 (Designee)	District Attorneys Council
Jason Beaman, D.O., M.S., M.P.H. (Designee)	Oklahoma Osteopathic Association
Martina Jelley, M.D., M.P.H. (Designee) Monica Henning, M.D. (Alt. Designee)	Oklahoma State Medical Association
Janet Wilson, Ph.D., RN (Designee)	Oklahoma Nurses Association
Hon. Mike Warren, J.D. (Designee)	Oklahoma Supreme Court
Brandon Pasley, (Designee)	Oklahoma Coalition Against Domestic Violence and Sexual Assault (Survivor)
Tracey Lyall, M.S.W. (Designee) Angela Beatty, B.S.W. (Alt. Designee) Jayra Camarena (Alt. Designee)	Oklahoma Coalition Against Domestic Violence and Sexual Assault

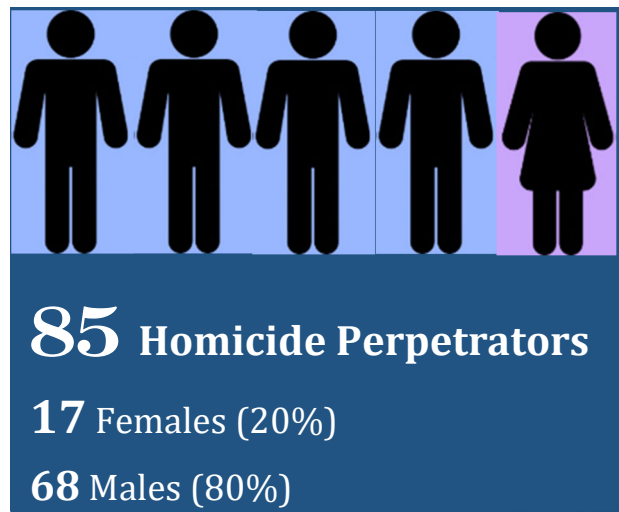
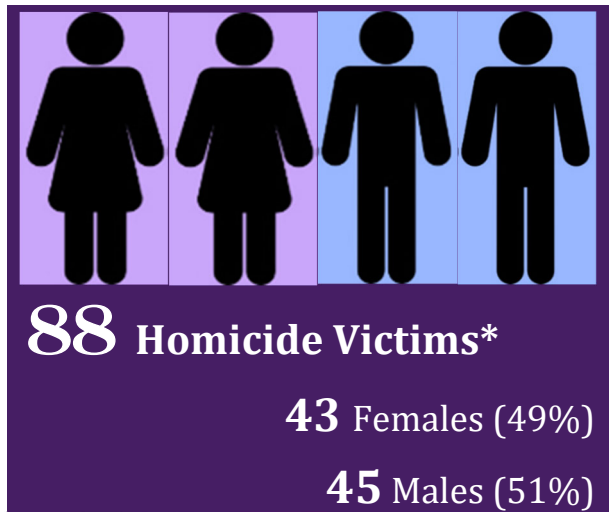
## Key Findings for 2018

### AT A GLANCE

The Review Board annually identifies, reviews, and reports on domestic violence-related homicides occurring in Oklahoma. Domestic violence homicides are divided into several broad categories. Each year, the two largest categories are intimate partner homicides (IPH) and family homicides committed by relatives who are non-intimate partners. Intimate partners include current or former husbands, boyfriends, wives, and girlfriends. Family members include, but are not limited to, parents, foster parents, children, siblings, grandparents, grandchildren, aunts, uncles, and cousins. Other deaths included in this report are roommates killed by roommates, as well as bystanders or Good Samaritans killed during the homicide event. In this report, the term *victim* refers to the individual killed in a domestic violence homicide. The term *perpetrator* refers to the individual who committed the homicide.

### 2018 Domestic Violence Homicide in Oklahoma

#### 82 DOMESTIC VIOLENCE HOMICIDE CASES



**31 Oklahoma counties with at least one homicide**

\*Includes victims of intimate partner, family, roommate, and triangle homicides.

## Key Findings for 2018

### AT A GLANCE

The Review Board identified **1,785** victims who died in Oklahoma because of domestic violence between 1998 and 2018.

In 2018 alone, Oklahoma had 82 separate domestic violence cases (sometimes referred to as events) resulting in the death of **105** people; **88** were identified as homicide victims, and **17** were identified as homicide perpetrators. A single case can result in the death of more than one victim, while other cases involve more than one perpetrator. The number of perpetrators who died from suicide or as a result of law enforcement, bystander, or Good Samaritan intervention in 2018 almost doubled from 2017 (*Table 1*).

**Table 1: Domestic Violence Homicides in Oklahoma from 2011 to 2018**

	2011	2012	2013	2014	2015	2016	2017	2018
Domestic violence cases	92	85	86	86	89	89	75	<b>82</b>
Domestic violence homicide victims (intimate partner homicide [IPH] and non-IPH)	96	88	90	93	94	95	82	<b>88</b>
<i>IPH victims only</i>	46	40	43	39	36	37	37	<b>44</b>
<i>Child Victims &lt;18</i>	18	14	14	18	24	15	11	<b>14</b>
Domestic violence perpetrators	93	91	89	91	100	95	83	<b>85</b>
Domestic violence perpetrators who died from suicide or law enforcement/bystander/Good Samaritan intervention	18	21	10	14	17	10	9	<b>17</b>

## Key Findings for 2018

### BY COUNTY

In 2018, 31 out of 77 (40%) Oklahoma counties had at least one domestic violence-related homicide; the highest number of homicide victims were concentrated in Oklahoma and Tulsa Counties. (Table 2).

HOMICIDE VICTIMS	COUNTY	PERPETRATOR SUICIDE
1	ADAIR	
2	ATOKA	
1	CADDO	
1	CHEROKEE	
2	CLEVELAND	
2	COMANCHE	
3	DELAWARE	
2	GARFIELD	
3	GRADY	1
1	HUGHES	
2	KAY	1
3	LEFLORE	
2	LINCOLN	
1	MURRAY	
1	MUSKOGEE	
1	NOWATA	
22	OKLAHOMA	4
4	OKMULGEE	
2	OSAGE	2
1	PAWNEE	
1	PAYNE	
1	PITTSBURG	
2	POTTAWATOMIE	
3	ROGERS	1
1	SEMINOLE	1
1	STEPHENS	
1	TEXAS	
18	TULSA	6
1	WAGONER	
1	WASHINGTON	
1	WASHITA	1
<b>88</b>	<b>TOTAL</b>	<b>17</b>

## Key Findings for 2018

### DEMOGRAPHICS<sup>1</sup>

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The demographics presented in this section of the report include intimate partner homicides (IPH) identified by the Review Board, as well as non-intimate partner homicides (Non-IPH), occurring in calendar year 2018. Non-IPH cases include family members, bystanders, and Good Samaritans (see the section on relationship type on page 9 for a more detailed description about how the Review Board categorizes the different relationships between domestic violence-related homicide perpetrators and homicide victims).

#### Gender

Of the 88 total domestic violence homicide victims, 43 (49%) were female and 45 (51%) were male. Of the 39 *adult* female victims ( $\geq 18$  years old), 38 (97%) were killed by male perpetrators. Of the 35 *adult* male victims ( $\geq 18$  years old), 23 (66%) were killed by male perpetrators, and 12 (34%) were killed by female perpetrators. The overwhelming majority of the 85 perpetrators were male (80%). Of the 17 female perpetrators, 9 (60%) killed their current or former intimate partners (*Table 3*).

#### Age

Of the 88 victims, the majority (33%) were between the ages of 21 and 40 years old. The average age of *all* victims was 37.72 years old. The average age of adult victims ( $\geq 18$  years) was 43.67 years old. The youngest victim was 3 months old. The oldest victim was 80 years old. Of the 14 child victims ( $< 18$  years), 9 (64%) were under the age of five and 7 (50%) were less than a year old (*Table 3*).

Perpetrators between the ages of 21 and 40 years old (52%) represented the largest age group. The average age of *all* perpetrators was 38.14 years old. The average age of adult perpetrators ( $\geq 18$  years) was 39.18 years old. The youngest perpetrator was 15 years old. The oldest perpetrator was 82 years old. Four (5%) perpetrators were  $< 18$  years old (*Table 3*).

#### Race/Ethnicity

Of the 88 victims, 55 (63%) were Caucasian, 12 (14%) were African American, 4 (5%) were Native American, 13 (15%) were Hispanic/Latino Origin, 3 (3%) were Asian, and 1 (1%) was identified as "Other" (*Table 3*).

Of the 85 perpetrators, 56 (66%) were Caucasian, 12 (14%) were African American, 4 (5%) were Native American, 9 (11%) were Hispanic/Latino Origin, 3 (3%) were Asian, and 1 (1%) was identified as "Other" (*Table 3*).

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<sup>1</sup> For purposes of this report, calculated percentages have been rounded up or down to the whole percent, which may result in categories with less than or more than 100% if totaled.



## Key Findings for 2018

### DEMOGRAPHICS<sup>2</sup>

<b>Table 3. Domestic Violence Victim and Perpetrator Demographics for 2018</b>				
	<b>Domestic Violence Homicide Victims ALL (Total = 88)</b>	<b>%</b>	<b>Domestic Violence Homicide Perpetrators ALL (Total = 85)</b>	<b>%</b>
<b>Gender</b>				
Female	43	49%	17	20%
Male	45	51%	68	80%
<b>Race/Ethnicity</b>				
Caucasian	55	63%	56	66%
African American	12	14%	12	14%
Hispanic/Latino	13	15%	9	11%
Native American	4	5%	4	5%
Asian	3	3%	3	4%
Other	1	1%	1	1%
<b>Age</b>				
Under 21	19	22%	12	14%
21 to 40	29	33%	44	52%
41 to 60	26	30%	22	26%
Over 60	14	16%	7	8%
Average Age [All]	<b>37.72</b>		<b>38.14</b>	
Average Age [<18]	<b>6.27</b>		<b>17.77</b>	
Average Age [≥18]	<b>43.67</b>		<b>39.18</b>	

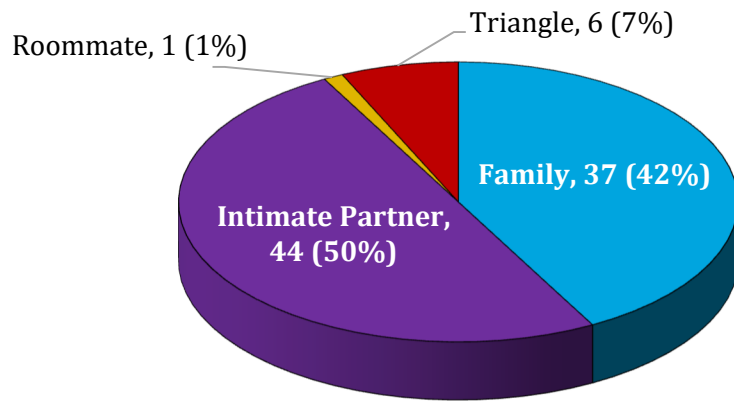
<sup>2</sup> See footnote 1.

## Key Findings for 2018

### RELATIONSHIP TYPE

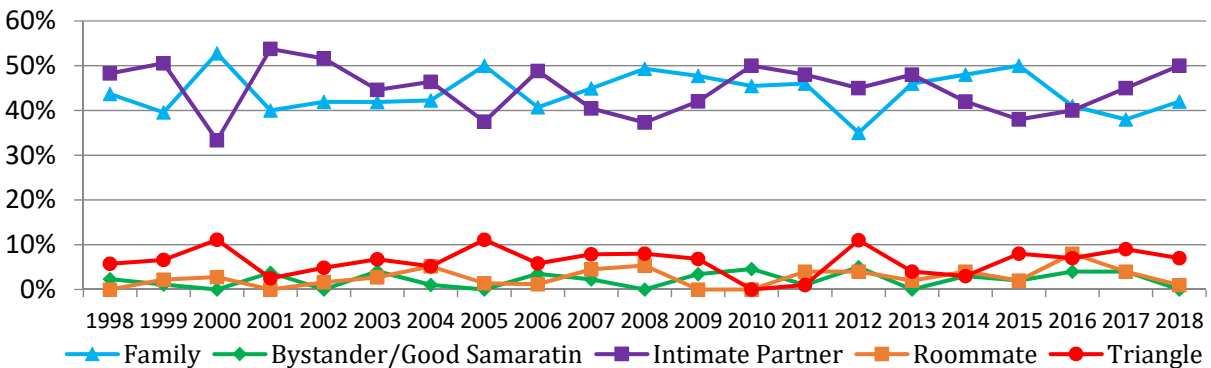
The Review Board collects and compiles data according to the type of relationship associated with the homicide. In 2018, 37 (42%) of the 88 homicide victims were killed by family members, including fathers, stepfathers, mothers, mother’s boyfriends, sons, stepsons, grandparents, grandsons, brothers, and other relatives. A total of 44 (50%) were killed by intimate partners, including current or former spouses and current or former dating partners. Victims killed by current or former intimate partners increased by 19% over the previous year. Exactly 6 (7%) homicide victims were killed in cases that are categorized as a *triangle*. Such homicides include situations in which a former spouse, girlfriend, or boyfriend kills the new spouse, girlfriend, or boyfriend, or vice versa. One (1%) victim was killed by a roommate (*Figure 1*).

**Figure 1. Perpetrator Relationship to Homicide Victim for 2018**



Relationship type remained fairly consistent from 1998 to 2018 with family homicides (44%) and intimate partner homicides (45%) almost equally represented (*Figure 2*).

**Figure 2. Perpetrator Relationship to Homicide Victim from 1998 to 2018**

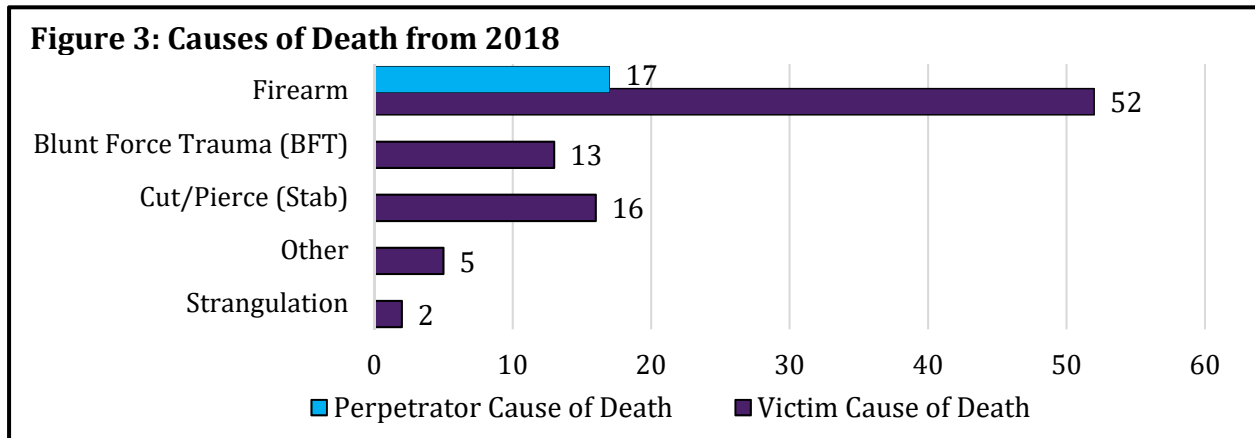


## Key Findings for 2018

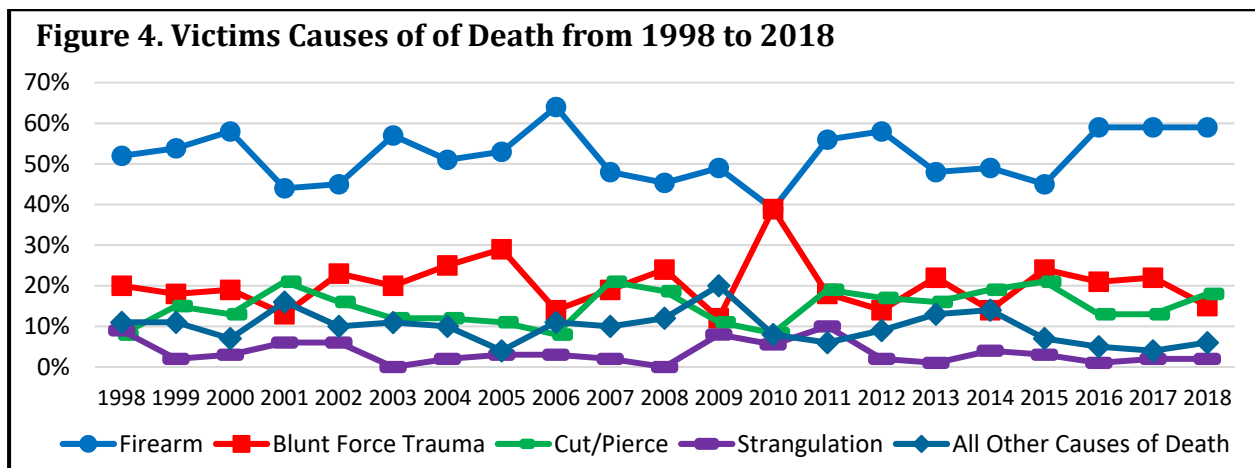
### CAUSES OF DEATH

The Office of the Chief Medical Examiner of Oklahoma investigates sudden, violent, unexpected, and suspicious deaths and conducts medico-legal investigations related to the death investigations. The Review Board reports on data obtained from the Medical Examiner’s Office that includes a determination as to the individual’s cause and manner of death.

Consistent with national research, firearms are the most commonly used weapons in domestic violence-related homicides. In 2018, firearms were the leading cause of death; more than all other causes combined. Additional causes of death included knife/cutting instruments, blunt force, strangulation, and others. Firearms were the cause of death of all 17 perpetrators who committed suicide or died by law enforcement, bystander, or Good Samaritan intervention (*Figure 3*).



Between 1998 and 2018, victim cause of death remained consistent with firearms continually serving as the most prevalent cause in domestic violence homicide cases (*Figure 4*). On average, firearms were the cause of death in 52% of the domestic violence homicides during this time period.

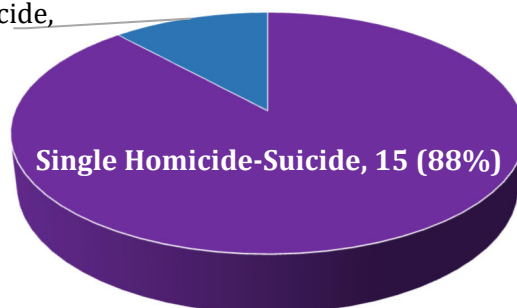


## Key Findings for 2018

### HOMICIDE-SUICIDE

**Figure 5: Homicide-Suicide Cases from 2018**

Multiple Homicide-Suicide,  
2 (12%)



■ Single Homicide-Suicide   ■ Multiple Homicide-Suicide

An event is defined as a homicide-suicide<sup>14</sup> when someone murders an individual and then kills himself or herself, usually within 72 hours following the homicide. In 2018, the Review Board identified 17 homicide-suicide cases resulting in the death of 19 victims (79% female). No children were killed in homicide-suicide events. Of the 17 homicide-suicide cases, 15 (88%) were classified as *single homicide-suicide* cases, in which one homicide victim and one homicide perpetrator who committed suicide or was killed as a result of law enforcement intervention. Two of the 17 (12%) homicide-suicide cases were *multiple homicide-suicide* cases, in which the perpetrator killed more than one victim before committing suicide or before being killed by law enforcement intervention (Figure 5).

National research finds that homicide-suicide cases most often involve intimate partners; usually a man killing his current or former intimate partner and then himself.<sup>15</sup> In 2018, the Review Board found that 94% of all homicide-suicide cases were perpetrated by intimate partners and that the majority (88%) were perpetrated by current or former male partners. Historically, the Review Board rarely identifies intimate partner homicide-suicide cases involving female perpetrators. However, in 2018 two cases involved female perpetrators. In addition, a 17-state national study (including Oklahoma), found that 88% of homicide-suicide incidents were performed with a gun.<sup>16</sup> Similarly in Oklahoma, 88% of such 2018 incidents were committed with a firearm.

<sup>14</sup> Homicide-suicide and murder-suicide are often used interchangeably in research literature.

<sup>15</sup> Marzuk PM, Tardiff K, and Hirsch CS. "The Epidemiology of Murder-Suicide." *JAMA* 267, no. 23 (June 17, 1992): 3179–83. doi:10.1001/jama.1992.03480230071031.

<sup>16</sup> Logan, J., Hill, H.A., Black, M.L., Crosby, A.E., Karch, D.L., Barnes, J.D., & Lubell, K.M. (2008). Characteristics of perpetrators in homicide-followed-by-suicide incidents: National Violent Death Reporting System—17 US States, 2003–2005." *American Journal of Epidemiology* 168, no. 9 (November 1, 2008): 1056–64. doi:10.1093/aje/kwn213.

## Key Findings for 2018

### DOMESTIC VIOLENCE HOMICIDE AND CHILDREN

#### Review Board Findings

The Review Board focuses on child *homicides* and does not review cases of children who die due to neglect; the Oklahoma Child Death Review Board reviews child death cases resulting from neglect. Child homicides include, but are not limited to, deaths in which children are killed by parents, step-parents, foster parents, grandparents, siblings, uncles, aunts, or cousins. In some cases, perpetrators kill children in the context of intimate partner homicide, such as when the perpetrator kills the children in addition to killing the partner who was a parent. There were no such cases in Oklahoma in 2018.

In 2018, the Review Board identified 14 children (< 18 years old) who were killed by family members. Of the 14 children, 71% were males and 29% were females. Additionally, 50% were Caucasian, 21% were African American, 14% were Native American, and 14% were Hispanic. In reference to age, 64% were ≤5 years old. The Department of Human Services, Child Welfare, had prior contact with the family in 50% of the child homicide cases occurring in 2018. In 57% of the cases, there was at least one prior child welfare referral. Also, 44% of the child homicide perpetrators had child welfare involvement as children themselves.<sup>24</sup> *Table 4* provides additional information related to child homicide victims identified in Oklahoma between 2011 and 2018.

**Table 4: Child Victims of Domestic Violence-Related Homicide (Intimate Partner and Non-Intimate Partner Homicide Cases) from 2011 to 2018**

	2011	2012	2013	2014	2015	2016	2017	2018
Number of Child Homicide Victims	18	14	14	18	24	15	11	14
<i>Number of Victims ≤ 5yrs old</i>	11	11	12	14	16	12	10	9
<i>Age of Youngest Child</i>	3 mo.	2 mo.	5 mo.	<1 day	2 mo.	<1 mo.	<1 mo.	3 mo.
<i>Age of Oldest Child</i>	16	16	14	17	15	17	6	17

<sup>22</sup> Jaffe, P.G. & Judois, M. (2006). Children as Victims and Witnesses of Domestic Homicide: Lessons Learned from Domestic Violence Death Review Committees. *Juvenile and Family Court Journal*. Volume 57. Issue3, pp 13–28.

<sup>23</sup> Jaffe, P.G., Campbell, M. Olszowy, L. & Hamilton, L.H.A. (2014). Paternal filicide in the context of domestic violence: challenges in risk assessment and risk management for community and justice professionals. *Child Abuse Review*, 23(2), pp.142-153.

<sup>24</sup> Oklahoma Department of Human Services Data.

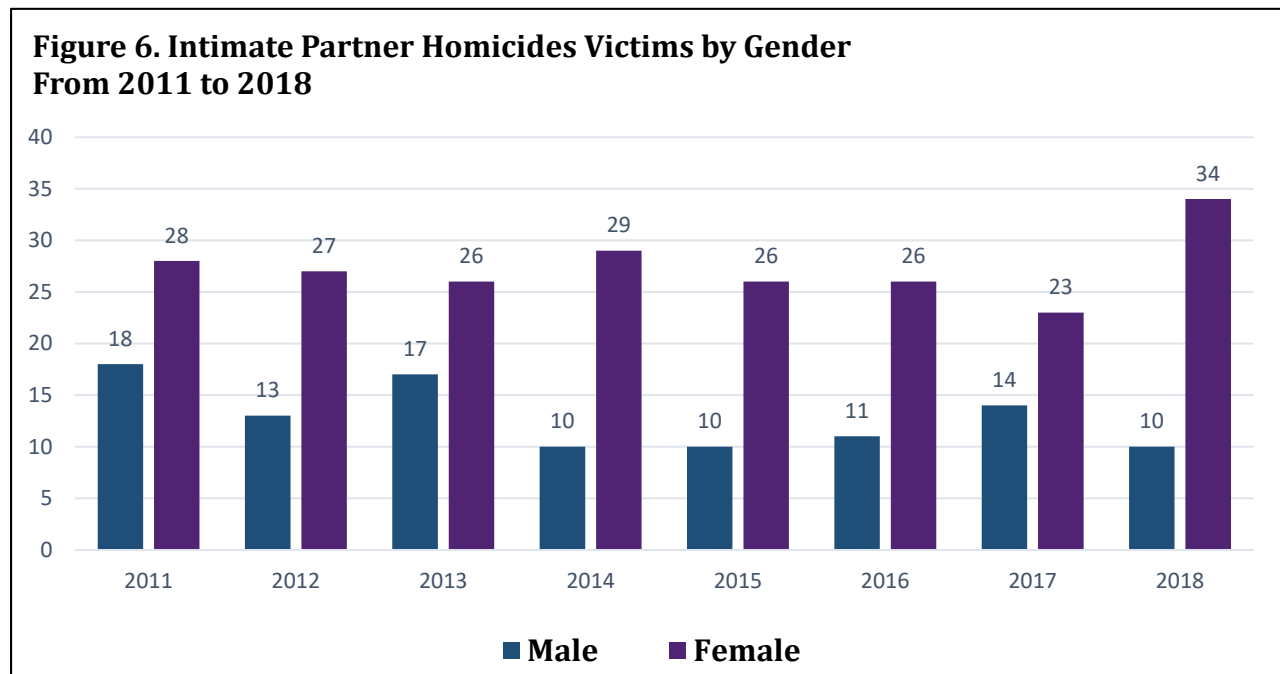
## Key Findings for 2018

### INTIMATE PARTNER HOMICIDES (IPH)

The Review Board collects data related to intimate partner homicides (IPH). Intimate partners are current or former spouses and current or former dating partners, including same sex partners. In the United States, women are more likely to be killed by an intimate partner than by any other group of people.<sup>2</sup> In a study conducted by the Centers for Disease Control and Prevention, analyzing data from 18 states (including Oklahoma) between 2003 and 2014, found that 55% of 10,018 female homicide victims involved domestic violence. In the same study, victims were killed by current or former intimate partners in 93% of the cases.<sup>3</sup> In Oklahoma, 44 of the 88 (50%) domestic violence-related homicides in 2018 were identified as IPH cases.

#### Gender

In 2018, consistent with previous years, women were more likely than men to be killed by an intimate partner than by a non-intimate partner. Of the 44 IPH victims, 34 (77%) were female and 10 (23%) were male (*Table 5*). More than three-quarters of IPH perpetrators were male (79%). On average, between 2011 and 2018, two-thirds of IPH victims were female and one-third were male (*Figure 6*).



<sup>2,3</sup> Petrosky E, Blair JM, Betz CJ, Fowler KA, Jack SP, Lyons BH. Racial and ethnic differences in homicides of adult women and the role of intimate partner violence — United States, 2003–2014. *MMWR Morb Mortal Wkly Rep* 2017;66:741–746. DOI: <http://dx.doi.org/10.15585/mmwr.mm6628a1>

## Key Findings for 2018

### INTIMATE PARTNER HOMICIDES (IPH)

#### Age

The average age of the 44 intimate partner homicide (IPH) victims was 43 years old. The youngest IPH victim was 19 years old; the oldest was 80 years old. The average age of IPH perpetrators was 44 years old. The youngest IPH perpetrator was 18 years old; the oldest was 82 years old (*Table 4*).

#### Race/Ethnicity

Of the 44 IPH victims, 31 (70%) were Caucasian, 5 (11%) were African American, 4 (9%) were Hispanic, 2 (5%) were Native American, and 2 were Asian (5%) (*Table 5*). Of the 44 IPH perpetrators, 29 (66%) were Caucasian, 6 (14%) were African American, 4 (9%) were Hispanic, 3 (7%) were Native American, and 2 (5%) were Asian (*Table 5*).

**Table 5: Intimate Partner Homicide Demographics from 2018**

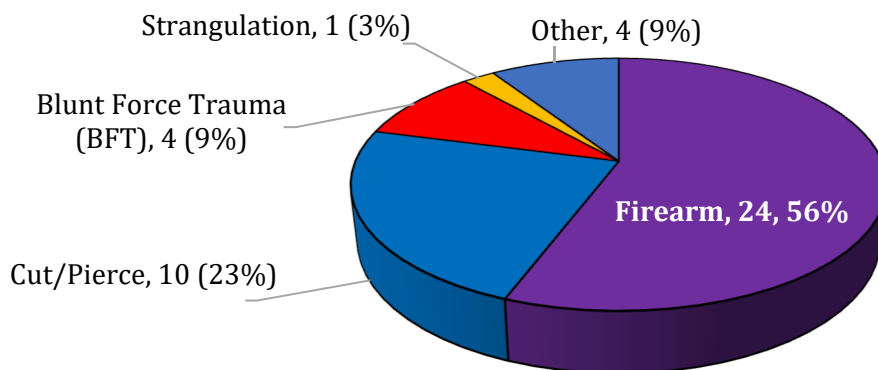
	IPH Victim	IPH Perpetrator
<b>Gender</b>		
Female	34	9
Male	10	35
<b>Race/Ethnicity</b>		
Caucasian	31	29
African American	5	6
Native American	2	3
Hispanic	4	4
Asian	2	2
Other	0	0
<b>Age</b>		
Under 21	1	3
21 to 40	17	18
41 to 60	17	17
Over 60	9	6
<b>Average Age [All]</b>	<b>43.52</b>	<b>44.23</b>

## Key Findings for 2018

### INTIMATE PARTNER HOMICIDES (IPH)

#### Cause of Death

**Figure 7: IPH by Cause of Death from 2018**



Aligned with national research,<sup>6</sup> Oklahoma findings show firearms to be the most commonly used weapons in intimate partner homicides (IPH). In 2018, 56% of IPH victims in Oklahoma were killed by firearms (*Figure 7*); more than half of all causes of death combined. Of US firearms, handguns are the most commonly used weapon by males to murder females in single victim/offender murders.<sup>7</sup> In one study, females were more likely to be murdered by their intimate partners with firearms than by all other causes combined.<sup>8</sup> Other research analyzing risk factors for femicide in abusive relationships found that an abused woman is five times more likely to be killed by her abusive partner when her partner owns a firearm.<sup>9</sup> In addition, there appears to be a link between *non-fatal* intimate partner violence, firearm ownership, and a perpetrator's likelihood of using the gun to threaten the partner.<sup>10</sup> Perpetrators of intimate partner violence use guns as tools of intimidation and psychological control of the intimate partner, most often as means to threaten and instill fear.<sup>11</sup>

<sup>6</sup> Zeoli, A. M., McCourt, A., Buggs, S., Frattaroli, S., Lilley, D. & Webster, D.W. (2018). Analysis of the Strength of Legal Firearms Restrictions for Perpetrators of Domestic Violence and Their Association with Intimate Partner Homicides. *American Journal of Epidemiology* 2018 Jul 1; 187(7): 1449-1455. doi: 10.1093/aje/kwx362

<sup>7,8</sup> Violence Policy Center (VPC). (2019). When Men Murder Women: An Analysis of 2017 Homicide Data. Retrieved from <http://vpc.org/studies/wmmw2019.pdf>

<sup>9</sup> Campbell J.C., Webster D.W., Koziol-McLain J., et al. (2003). Risk factors for femicide in abusive relationships: results from a multisite case control study. *American Journal of Public Health*. 2003; 93(7):1089-1097.

<sup>10</sup> Rothman E.F., Hemenway D., Miller M., Azrael D. (2005). Batterers' use of guns to threaten intimate partners. *J Am Med Womens' Assoc* 2005; 60:62-68

<sup>11</sup> Sorenson, S.B. (2017). Guns in Intimate Partner Violence: Comparing Incidents by Type of Weapon. *Journal of Women's Health*, Vol. 26, Number 3, DOI: 10.1089/wh.2016.5832



## Key Findings for 2018

### INTIMATE PARTNER HOMICIDES (IPH)

#### Relationship Status

One half of IPH victims (50%) were never married to the IPH perpetrator (*Table 6*).

**Table 6: Relationship of IPH Victim to Perpetrator from 2018**

When perpetrator was male, victim was:	Number of Cases	%
Spouse	17	49%
Ex-Spouse	1	3%
Current Intimate Partner (not married)	13	37%
Former Intimate Partner (not married)	4	11%
Total	35	
When perpetrator was female, victim was:	Number of Cases	%
Spouse	3	33%
Ex-Spouse	1	11%
Current Intimate Partner (not married)	3	33%
Former Intimate Partner (not married)	2	22%
Total	9	

#### Living Arrangements

The Review Board tracks information related to the living arrangements between the IPH perpetrator and victim at the time of the homicide. Of the 341 reviewed IPH cases from 1998 to 2010, the victim and perpetrator were cohabiting in 55% of the cases. In 2018, the known data indicates that (43%) of IPH victims were living with the partner at the time of the homicide.

#### Separation

Out of the 44 IPH victims, 9 (20%) were reported to be separated from the IPH perpetrator at the time of the homicide and an additional 4 (9%) were reported to be in the process of separation just prior to the homicide. Since the Review Board has only limited information regarding the number of IPH victims who may have been trying to leave or were in the process of leaving at the time of the homicide the actual numbers may be higher.

#### Prior Physical Violence

A history of prior physical violence in the relationship is difficult to ascertain. The Review Board relies on sources of information such as law enforcement reports, protective order petitions, prosecutorial records, hospital records, and information from family and friends. However, since many of the IPH cases from 2018 are not yet closed in the criminal justice system, prosecutorial

## Key Findings for 2018

### INTIMATE PARTNER HOMICIDE (IPH)

records are not yet available for many cases at the time of this report. In addition, the majority of abuse in intimate partner relationships is not reported to authorities and victims may not report their abuse to anyone prior to their deaths. Despite these limitations, an analysis of 276 reviewed intimate partner homicide cases between 1998 and 2015, found that 62% of IPH victims experienced physical violence by the homicide perpetrators prior to the homicides. In 2018, available records indicate that 17 (39%) of the 44 IPH victims experienced physical violence by the IPH perpetrators prior to the homicides.

### Criminal Charges/Convictions related to the Homicide (IPH)

Charges were filed in 24 (89%) of the 27 IPH cases in which the perpetrators lived. The remaining 17 cases involved the death of the perpetrators. At the time of this report, 7 out of 24 cases have resulted in convictions, one acquittal, and one perpetrator died after charges were filed. The remaining cases are pending in the court system (*Table 7*).

	Number of Cases	%
1 <sup>st</sup> Degree Murder	20	45%
2 <sup>nd</sup> Degree Murder	1	2%
1 <sup>st</sup> Degree Manslaughter	1	2%
2 <sup>nd</sup> Degree Manslaughter	2	5%
No Charges Filed (Perpetrator Lived)	3	7%
No Charges Filed (Perpetrator Died at Time of Incident)	17	39%
<b>Total</b>	<b>44</b>	

## Domestic Violence Homicides by County from 1998 to 2018

Between 1998 and 2018, **1,785** victims lost their lives to domestic violence in Oklahoma; of the 1,785 victims, **786** (44%) were killed by intimate partners (*Table 8*).

**Table 8. Domestic Violence Homicide Victims By County from 1998 to 2018\***

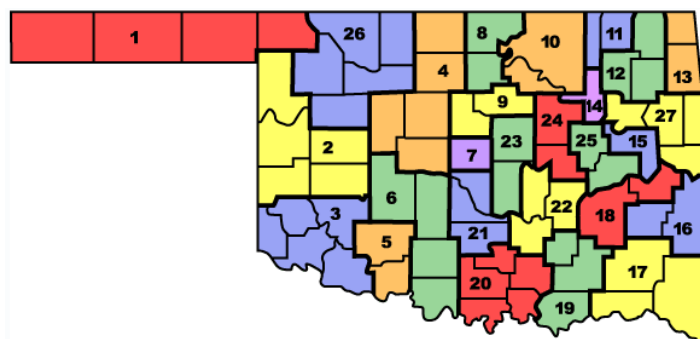
County	DV Homicide	IPH Victims	DV/SA Program	County	DV Homicide	IPH Victims	DV/SA Program
Adair	15	5	B; S	Leflore	41	17	V; B
Alfalfa	0	0		Lincoln	15	6	
Atoka	9	3	B	Logan	13	6	B
Beaver	5	1		Love	9	3	
Beckham	8	1	B; S	Major	1	0	
Blaine	3	2		Marshall	6	2	B
Bryan	23	7	V; B; T	Mayes	22	10	
Caddo	19	10	B; T	McClain	12	7	
Canadian	21	10	S; B; T	McCurtain	27	13	V; B
Carter	33	12	V; B	McIntosh	11	5	S
Cherokee	21	12	V; B; T	Murray	4	3	B
Choctaw	8	2	T	Muskogee	32	22	V; B
Cimarron	0	0		Noble	3	1	T
Cleveland	46	22	V; B	Nowata	3	2	
Coal	5	4		Okfuskee	9	5	B
Comanche	70	34	V; B; T	Oklahoma	405	195	V; B; F
Cotton	6	4		Okmulgee	24	11	V; B; T
Craig	8	5	S	Osage	19	13	T
Creek	21	10	B	Ottawa	14	5	V; B; T
Custer	11	6		Pawnee	10	3	T
Delaware	29	13	S; B; T	Payne	20	9	V; B; T
Dewey	2	2	S	Pittsburg	22	7	V; B
Ellis	1	1	S	Pontotoc	23	13	V; B; T
Garfield	18	9	V; B	Pottawatomie	34	14	V; B; T; F
Garvin	20	4	B	Pushmataha	3	1	
Grady	23	10	V; B	Roger Mills	1	1	
Grant	1	0		Rogers	23	8	V; B
Greer	2	2		Seminole	20	9	V; B; T
Harmon	1	1		Sequoyah	19	8	
Harper	1	1	S	Stephens	20	7	V; B
Haskell	9	5	S; B	Texas	7	2	S
Hughes	6	0	B	Tillman	6	4	
Jackson	5	3	V; B	Tulsa	366	161	V; B; F
Jefferson	0	0		Wagoner	23	11	S
Johnston	7	2	S; B	Washington	23	12	
Kay	16	8	V; T	Washita	6	4	
Kingfisher	2	2		Woods	3	0	S
Kiowa	3	4		Woodward	4	2	V; B
Latimer	4	2		<b>Totals</b>	<b>1,785</b>	<b>786</b>	

\*"V" Attorney General Certified Victims Program and "S" Satellite Attorney General Certified Victims Program; "B" Batterers Intervention Program; "T" Tribal Program; and "F" Family Justice Center

## Domestic Violence Homicides by District Attorney District from 1998 to 2018

**Table 9. Domestic Violence Homicide Rate per 100,000 population by District Attorney District from 1998 to 2018**

DA District	County	Number of DV Homicide Victims	Rate per 100,000
District 4	Blaine, Canadian, Garfield, Grant, and Kingfisher	45	1.07
District 26	Alfalfa, Dewey, Major, Woods, and Woodward	12	1.22
District 21	Cleveland, Garvin, and McClain	78	1.22
District 9	Logan and Payne	33	1.36
District 3	Greer, Harmon, Jackson, Kiowa, and Tillman	17	1.51
District 8	Kay and Noble	19	1.56
District 1	Beaver, Cimarron, Harper, and Texas	11	1.63
District 24	Creek and Okfuskee	30	1.76
District 12	Craig, Mayes, and Rogers	53	1.84
District 2	Beckham, Custer, Ellis, Roger Mills, and Washita	27	1.90
District 11	Nowata and Washington	26	2.03
District 27	Adair, Cherokee, Sequoyah, and Wagoner	78	2.09
District 15	Muskogee	32	2.18
District 10	Osage and Pawnee	29	2.19
District 6	Caddo, Grady, Jefferson, and Stephens	62	2.26
District 23	Lincoln and Pottawatomie	49	2.28
District 18	Haskell and Pittsburg	31	2.59
District 7	Oklahoma	405	2.70
District 25	Okmulgee and McIntosh	35	2.81
District 13	Delaware and Ottawa	43	2.83
District 5	Comanche and Cotton	76	2.88
District 19	Atoka, Bryan, and Coal	37	2.90
District 14	Tulsa	366	2.92
District 20	Carter, Johnston, Love, Marshall, and Murray	59	2.95
District 17	Choctaw, McCurtain, and Pushmataha	38	3.02
District 22	Hughes, Pontotoc, and Seminole	49	3.10
District 16	Latimer and Leflore	45	3.57



## RECOMMENDATIONS

### 2019 Recommendations

With its continuous goal of reducing domestic violence homicides in Oklahoma, the Review Board proposes three recommendations for the following target systems to improve overall domestic violence response and increase prevention efforts.

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#### **Recommendation One:**

**Target Systems:** Law Enforcement, Prosecution, Municipalities, Courts, and Legislators

All misdemeanor crimes of domestic abuse in violation of state law should be referred to the District Attorney where they can be prosecuted in the District Court and not processed within the local municipality.

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#### **Recommendation Two:**

**Target Systems:** Law Enforcement, Prosecution, Courts, Victim Service Providers, Legislature, Funders, and Collaborative Multidisciplinary Model Systems

Agencies and organizations responding to domestic violence crimes should work collaboratively across jurisdictional and disciplinary lines to utilize resources in a manner which best enhances the prosecution of offenders, thereby increasing offender accountability while lessening the burden placed upon victims to participate in the justice system process.

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#### **Recommendation Three:**

**Target Systems:** Department of Corrections - Probation and Parole, District Attorney Supervision, and Private Supervisory Agencies

All individuals and agencies responsible for providing supervision of domestic abuse offenders while serving probationary or parole terms should have continued specialized training on the dynamics of domestic violence and use enhanced strategies to effectively monitor domestic violence perpetrators.

Further explanation of each recommendation and resources are included on the pages to follow.

## 2019 Recommendations

### Recommendation One:

#### **Target Systems:**

#### **Law Enforcement, Prosecution, Municipalities, Courts, and Legislators**

All misdemeanor crimes of domestic abuse in violation of state law should be referred to the District Attorney where they can be prosecuted in the District Court and not processed within the local municipality.

#### **Rationale:**

The consistently high rates of domestic violence crime in Oklahoma and the ongoing need to ensure an adequate response by the criminal justice system toward the goal of preventing the escalation of violence toward intimate partners resulting in lethal use of force, requires a calculated, consistent and direct approach. Recognizing the fatal impact of Driving While Under the Influence of Alcohol (DUI) repeat offenses, the Oklahoma legislature under Title 47 O.S. § 11-902(C)(7), mandated that *“in any case in which a defendant is charged within any municipality with a municipal court other than a court of record, the charge shall be presented to the county’s District Attorney and filed with the district court of the county within which the municipality is located.”*

The dynamics of domestic violence include repeat behavior over time, often with escalating acts of violence.

Similar to the requirements for those charged with the crime of DUI, at a minimum, domestic abuse crimes should be charged where there is an official record of the offense. This may be used to enhance future repeat crimes, and the crimes should be handled in a consistent, serious manner across the state at the District Court level. Municipalities vary in their ability to impose penalties based on their set ordinances. All are limited to charging misdemeanor crimes, which carry for a court of record a maximum of 6 months imprisonment and a fine of up to \$2,500, and for a court not of record a maximum of 60 days imprisonment and a fine of up to \$750 (*See Title 11 O.S. § 14-111*). Repeat offenses then carry the same punishment range no matter how many prior charges or convictions exist.

A misdemeanor level charge of domestic abuse per state statute under Title 21 O.S. 644(C) carries a punishment range at the District Court level of up to 1 year imprisonment and a fine of up to \$5,000 and a subsequent offense may be charged as a felony carrying a punishment range of up to 4 years imprisonment and a fine of up to \$5,000. Alternative misdemeanor and felony charges are available to prosecutors at the state level depending on additional elements present. Furthermore, convictions of domestic abuse at the state level require the attendance of a 52-week batterer

## 2019 Recommendations

intervention program certified by the Office of the Attorney General as a condition of a probationary term, which may be supervised and violations enforced by the District Court judge.

### **Implementation:**

This recommendation can be accomplished through collaborative efforts among municipal law enforcement agencies and courts with District Attorneys and District Courts to set forth procedures that acknowledge the serious nature of domestic abuse crimes. State, local, and federal resources are being utilized in locations across the state to ensure prosecutors and courts are equipped to respond in the most appropriate ways while handling domestic violence prosecution, issuing meaningful imprisonment and/or probationary terms, and monitoring offenders after sentencing through compliance review dockets. The District Courts in Oklahoma are better equipped than municipal courts to ensure more consistency in sentencing, the availability of greater penalties for greater crimes, and more accountability for repeat offenders. To further statewide consistency, the Oklahoma legislature should consider statutory amendments requiring the presentment of misdemeanor domestic abuse crimes by a municipality to the District Court.

### **Resources:**

National Domestic Violence Prosecution Best Practices Guide, National District Attorneys Association:

<https://ndaa.org/wp-content/uploads/NDAA-DV-White-Paper-FINAL-revised-July-17-2017-1.pdf>

National Judicial Institute on Domestic Violence:

<https://www.njidv.org/>

Center for Court Innovation:

<https://www.courtinnovation.org/programs/domestic-violence-court>

## 2019 Recommendations

### Recommendation Two:

#### **Target Systems:**

#### Law Enforcement, Prosecution, Courts, Victim Service Providers, Legislature, Funders, and Collaborative Multidisciplinary Model Systems

Agencies and organizations responding to domestic violence crimes should work collaboratively across jurisdictional and disciplinary lines to utilize resources in a manner which best enhances the prosecution of offenders, thereby increasing offender accountability while lessening the burden placed upon victims to participate in the justice system process.

#### **Rationale:**

Local, state, federal, and tribal laws differ just as disciplines serving victims differ in the various systems. These differences create gaps in responses and may result in undue burdens placed upon victims of domestic abuse beyond violence and coercion by the perpetrators. Domestic violence perpetrators use those system shortcomings to further intimidate and harass victims, often causing reluctance to participate in the prosecution of a case and more opportunity for perpetrators to avoid penalties.

However, creative partnerships across jurisdictions and disciplines can fill those gaps and enhance accountability for perpetrators, resulting in more safety for victims and their families. Such collaborations include state and federal partnerships like “Operation 922”, explained further in the Spotlight section of the report (page 28), whereby federal prosecution of firearms violations has created a more targeted system response to domestic violence offenders where state law is limited and wherein victims are less likely to be asked to participate since evidence of the crime is not reliant upon victim testimony. Such partnerships are created through joint efforts by local and federal law enforcement and state and federal prosecutors, and are strengthened by multidisciplinary response models such as Family Justice Centers and Coordinated Community Response Teams.

An additional example of a cross-disciplinary collaborative response is the use of expert witnesses in the prosecution of domestic abuse crimes and in civil cases where domestic abuse is alleged. Experts may offer court testimony including, but not limited to, the effects of domestic abuse on the beliefs, behavior, and perception of the person being abused (Title 22 O.S. § 40.7). Explaining the dynamics of domestic violence and its effects on victims is crucial to the provision of context in a proceeding, either criminal or civil, where victim behavior may seem counterintuitive to a judge or jury. Successful “Evidence-Based Prosecution”, relying on evidence other than victim testimony to prove the elements of the crime, is often accomplished with the use of expert testimony to explain victim behavior, such as reluctance to report, recanting reports of abuse, choosing not to testify or



## 2019 Recommendations

reuniting with an abuser, among others. The use of experts may be accomplished through coordination across disciplines.

### Implementation:

Formalized work across disciplines and jurisdictions is key to the implementation of ongoing meaningful efforts to close gaps and improve the system response. Coordinated Community Response Teams and Family Justice Centers exist in most parts of Oklahoma, and their continued efforts should include evaluation of agency, organizational, and jurisdictional roles to identify strengths and weaknesses, as well as available resources, including state and federal funds not yet utilized to improve the overall system response to domestic violence.

Prosecutors should regularly connect with victim advocates and counselors to consult on the dynamics of a case or to request expert testimony during a hearing or trial. Advocates, counselors, law enforcement officers, and others with experience and education specific to domestic abuse dynamics should be available to provide education to prosecutors and to testify in court.

### Resources:

The National Domestic Violence and Firearms Resource Center:

<https://www.bwjp.org/our-work/projects/firearms-project.html>

The Use of Expert Testimony in Intimate Partner Homicide, a publication of VAWnet: The National Online Resource Center on Violence Against Women:

<https://vawnet.org/material/use-expert-testimony-intimate-partner-violence>

Excerpt from Praxis International's Blueprint for Safety on the Use of Expert Witnesses in Domestic Violence Cases:

<http://praxisinternational.org/wp-content/uploads/2016/02/BPSupp5CTrainingMemo-UseofExpertWitnessesinDomesticViolenceCases.pdf>

Oklahoma District Attorneys Council – Coordinated Community Response Team Resources:

[https://www.ok.gov/dac/Training/Coordinated Community Response Teams/index.html](https://www.ok.gov/dac/Training/Coordinated%20Community%20Response%20Teams/index.html)

Oklahoma Family Justice Centers:

- Tulsa Family Safety Center: <https://fsctulsa.org/>
- One Safe Place (Family Justice Center, Shawnee): <http://fjc.osgov.us/>
- Palomar (Oklahoma City's Family Justice Center): <https://palomarokc.org/>
- Coming Soon... Canadian County Family Justice Center

## 2019 Recommendations

### Recommendation Three:

#### **Target Systems:**

Department of Corrections - Probation and Parole,  
District Attorney Supervision, and Private Supervisory Agencies

All individuals and agencies responsible for providing supervision of domestic abuse offenders while serving probationary or parole terms should have continued specialized training on the dynamics of domestic violence and use enhanced strategies to effectively monitor domestic violence perpetrators.

#### **Rationale:**

The Review Board over the years (2002, 2007, 2008, 2009, 2010, and 2012) has made many recommendations targeting the work of professionals within the probation and parole portion of the criminal justice system. Those recommendations have included suggestions for screening of probationers for lethality indicators at intake and prior to release to the community; training on the dynamics of domestic abuse and usage of danger assessment tools; documentation and reporting of incidents of domestic violence; notification of protective order proceedings involving probationers; and, making appropriate victim referrals for services within the community. The majority of domestic violence offenders receive probationary terms as a part of their court ordered sentences. These offenders are often assigned to be supervised by the Department of Corrections Probation and Parole officers, District Attorney Supervision, or private supervisory agencies. Recognizing the risk and lethality factors involved, it has become standardized that law enforcement officers perform a lethality assessment upon first investigating a crime of domestic abuse. However, assessing dangerousness and lethality should also become an ongoing standardized practice when offenders are serving probationary or parole terms.

The Review Board has recognized incidents during case reviews indicating increased supervision of offenders or reporting of probationary violations may have resulted in an opportunity to intervene prior to the homicides. Probation officers should maintain contact with victims and make service referrals as necessary for victim safety, perform evidence-based lethality and risk assessments of offenders, routinely check for new arrests or protective order filings, request updates on the status of batterer intervention program attendance, and report violations to the proper authorities.

#### **Implementation:**

The Department of Corrections Probation and Parole Division, District Attorneys, and private probationary agencies should work together to develop training and uniform protocols for officers supervising domestic violence offenders. Those entities should also collaborate with members of

local Coordinated Community Response Teams and Family Justice Centers who may be able to provide training and resources, as well as share helpful information to maintain ongoing status updates on offenders. Probation officers and batterer intervention program facilitators should regularly communicate about offenders ordered to complete the program who are also supervised during a probationary term. Toward the goal of meaningful offender accountability, violations of probationary terms should be documented and reported to District Attorneys for possible court sanctions.

**Resources:**

Battered Women's Justice Project:

<https://www.bwjp.org/our-work/projects/probation-project.html>

Community Corrections Response to Domestic Violence: Guidelines for Practice, a publication of the American Probation and Parole Association:

<https://www.appa-net.org/eweb/docs/APPA/pubs/CCRDV.pdf>

## Update On Selected Prior Recommendations

### MAKING A DIFFERENCE IN OKLAHOMA

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Since 2002, the Review Board has submitted recommendations based on intensive case review and analysis of trends. However, the Review Board's role of developing and disseminating recommendations is only the first step to enacting valid reform. Once recommendations are made, the Review Board is optimistic systems will use the information to implement practice, protocol, and policy changes in their communities. We expect the legislature to consider these recommendations to guide any legislation related to domestic violence in Oklahoma. The Review Board works to facilitate implementation of the recommendations. Over the years, many recommendations have been fully or partially implemented in Oklahoma, while others have yet to be implemented. The following section provides an update related to recommendations made by the Review Board in recent years.

#### 1. ALL Systems

##### PRIOR RECOMMENDATION

- [2018]** Lethality Risk Training for All Systems
- [2016]** Enhance consistent and safe implementation of the Lethality Assessment Program (LAP) in Oklahoma

##### UPDATE

The Lethality Assessment Program (LAP) Task Force, established in September 2017, includes member representation from law enforcement, including CLEET, domestic violence service provider agencies, tribal agencies, a LAP researcher from the University of Oklahoma, Health Sciences Center, the District Attorneys Council, and the Office of the Attorney General. The goals of the taskforce are to collect data to evaluate the LAP outcomes, enhance uniformity of practices, and provide training and technical assistance to law enforcement and domestic violence service provider agencies.

In 2019, the District Attorneys Council, in conjunction with CLEET, hosted numerous trainings in communities across the state on the LAP. Also, during regional multidisciplinary trainings focused on victims rights, members of the Task Force presented on the LAP. The Task Force has conducted surveys of victim service agencies, law enforcement agencies, and others to evaluate the statewide implementation of the LAP and to identify additional training and technical assistance needs. More work is always needed; however, the work of the Task Force has created meaningful partnerships between law enforcement and victim service agencies in all parts of the state, resulting in better support for victims of domestic abuse.

*For more information on LAP training and technical assistance for your agency, please contact the Victim Services Unit of the Attorney General's Office or the District Attorneys Council Training Division.*

## Update on Selected Prior Recommendations

### MAKING A DIFFERENCE IN OKLAHOMA

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#### 2. Judiciary

The judiciary is critical to the safety and well-being of families in Oklahoma. Decisions made by the juvenile, family, protective order, and criminal courts have the potential to either enhance or diminish safety for victims of domestic violence and their children. Recognizing the vital role of the judiciary in creating safety for Oklahoma families, the Review Board has made multiple recommendations for judges spanning several years. However, the need for judicial training and the development of judicial resources continues to be an overarching priority for the Review Board. The Review Board has the opportunity to review court records related to each case, including the victim and perpetrator prior criminal, juvenile, and family court history, and protective order history. Through this process, the Review Board recognizes the continued *urgent* need for judicial training as evidence demonstrating changes in judicial practice to enhance safety for families.

#### PRIOR RECOMMENDATIONS

Among the numerous recommendations directed toward the judiciary since 1998, the Review Board has prioritized the development of a domestic violence benchbook to guide Oklahoma judges in civil, juvenile, and criminal court proceedings involving domestic violence.

- |                        |   |
|------------------------|---|
| <b>[2014]</b>          | Develop a judicial benchbook to provide guidance to Oklahoma judges in domestic violence cases.                                   |
| <b>[2008 and 2009]</b> | Make judges aware of and train them on how to utilize benchcards in protective order cases.                                       |
| <b>[2007]</b>          | Utilize a benchcard for judges handling protective orders to assist the court in recognizing red flags and potential danger.      |
| <b>[2005]</b>          | Develop benchcards for judges handling protective orders to assist judges in recognizing red flags and danger potential in cases. |

#### UPDATE

The Oklahoma County Bar Association Lawyers Against Domestic Abuse Committee (LADC) is continually working to develop a comprehensive domestic violence benchbook for Oklahoma Judges. This resource is estimated to be published within the next year and will be disseminated statewide to all judges.

## Spotlight

### Homicide Prevention Initiatives in Oklahoma

#### “Operation 922”

The Oklahoma County District Attorney’s Office reviews about 3,000 domestic violence cases per year and prosecutes approximately 1,500 cases, including both felony and misdemeanor offenses. This is a daunting caseload for which limited personnel and resources exist at the state and local levels. In November 2017, Lori Hines, Deputy Criminal Chief, United States Attorney’s Office (USAO) for the Western District of Oklahoma, realized that although many of these defendants charged in state court were violent, multiple prior crimes they had committed had not resulted in meaningful sanctions. This was due to a myriad of challenges common to domestic violence cases including evidentiary issues, victims who may be reluctant to prosecute due to economic issues (such as the loss of a “breadwinner”), victim desire to keep a family intact, and other factors such as heavy caseloads for the prosecutors and limited state laws. Yet, domestic violence cases represented a significant portion of all the violent crimes occurring in the district with numerous examples of chronic repeat offenders and repeat victims.

Following a review of the older and more difficult cases pending at the District Attorney’s Office, with the support of then Acting US Attorney Troester, the leadership team within the USAO began to reconsider their role in addressing domestic violence as a priority for the Violent Crimes Division. The review of the domestic violence-related incidents revealed that many involved violations of federal firearms laws. Examples included felons in possession of a firearm, violations of a Victim Protection Order, and incidents involving firearms and illegal drugs. The commitment to consider federal prosecution in domestic violence-related firearms incidents was further supported by the collaborative screening of cases investigated by the Oklahoma City Police Department (OCPD), the District Attorney’s Office, and the Bureau of Alcohol, Tobacco, Firearms and Explosives. The co-location of the OCPD Domestic Violence Unit in the Palomar Family Justice Center assisted in prioritizing high-risk offenders for federal prosecution.

With prior Project Safe Neighborhoods (PSN) grant funded programs, the USAO for the Western District of Oklahoma followed that predominant strategy by focusing on a specific, limited geographic area to target violent crime. As is often the case with such strategies, this resulted in targeting high-crime areas which were generally minority communities with low income, high unemployment, and little education. However, domestic violence occurs in all neighborhoods and is not confined to any geographic, economic, ethnic, educational, or other similar parameter.

#### Title 18 U.S.C. § 922(g)(8)&(9):

##### **(g) It shall be unlawful for any person—**

**(8) Who is subject to a court order (VPO) that—**  
(check [www.oscn.net](http://www.oscn.net) – look for ‘PO’ cases)

**(A)** Was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;

**(B)** Restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; **and**

**(C) (i)** Includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; **or**

**(ii)** By its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury;

**OR**

**(9) Who has been convicted in any court of a misdemeanor crime of domestic violence,**  
(check [www.oscn.net](http://www.oscn.net) – look for ‘CM’ cases)

**to ship or transport . . . or possess . . . any firearm or ammunition. . . . (We need the gun!)**

Consequently, in response to the identified need to intervene, the Western District of Oklahoma's current PSN initiative targets domestic violence derived cases, including violations of 18 U.S.C. § 922(g)(8) and (g)(9). The initiative is titled "Operation 922". When a subject is in possession of a firearm 1) while subject to a Victim Protective Order, 2) after a prior misdemeanor conviction for domestic assault and battery, or 3) after a prior felony conviction, the USAO can prosecute that firearms offense. As noted above, the USAO is actively involved in weekly case screenings and can work with local partners to prioritize cases and make determinations whether federal or state prosecution makes the most sense.

This strategy of prosecuting offenders with a criminal history of domestic violence (including misdemeanor convictions), and those subject to a Victim Protective Order, has proven to be successful for many reasons. First, this strategy fills a void in state law. Unlike under federal law, Oklahoma does not have a law that prohibits a person subject to a protective order, or who has a prior conviction for misdemeanor domestic assault and battery, from possessing a firearm. The federal laws can result in the arrest, prosecution, and incarceration of a subject for up to ten years. The Western District of Oklahoma's strategy to charge the violent offenders who possess firearms serves as a prosecution force multiplier by charging felony firearms cases where that option is not available to state prosecutors.

Second, this strategy protects victims. This occurs in several ways. Federal prosecution brings meaningful pretrial detention or monitoring. It also brings speedy trials, prompt case resolutions, and certain sentences. This provides opportunities for law enforcement to break the cycle of violence, extract high-risk offenders from the scenes, and provide "breathing room" for victims. The enforcement focus is coupled with comprehensive services and support provided by agencies embedded within the Palomar Family Justice Center. The Western District of Oklahoma's prosecution of these cases as federal firearms violations also protects the victims from the uncomfortable necessity to testify about the specific abuse by the defendant because the federal prosecution focuses on the illegal possession of the firearm.

Finally, this strategy improves officer safety. This is based on experience demonstrating that domestic violence calls are known to be some of the most volatile situations for responding officers. Closing the gaps and approaching domestic violence in a unified manner will save lives of victims and officers alike, as well as time and funds.

**For further information about Operation 922,  
please contact Deputy Criminal Chief Lori Hines at  
(405) 553-8853.**

**"OPERATION 922"  
Domestic Violence  
Initiative**



**United States Attorney's Office  
Western District of Oklahoma**

Deputy Criminal Chief Lori Hines  
(405) 553-8853



## Appendix A

### Oklahoma Domestic Violence Fatality Review Board

#### Oklahoma Domestic Violence Fatality Review Board Legislation

The Oklahoma Domestic Violence Fatality Review Board (“Review Board”) is a statutory body, enabled by the Oklahoma legislature under 22 O.S. §§ 1601-1603. Legislation creating the Review Board took effect in 2001.

#### Mission Statement

The mission of the Review Board is to reduce the number of domestic violence-related deaths in Oklahoma. The Review Board will perform multi-disciplinary review of statistical data obtained from sources within the jurisdiction and/or having direct involvement with the homicides. Using the information derived, the Review Board will identify common characteristics and develop recommendations to improve the systems of agencies and organizations involved to better protect and serve victims of domestic abuse.

#### Board Members

Previously, the Review Board has been composed of eighteen (18) members (or designees). As of November 1, 2019, the Review Board is composed of twenty (20) members as follows:

1. Eight of the members shall be:
  - a. Chief Medical Examiner;
  - b. Designee of the Office of Attorney General, Victim Services Unit;
  - c. State Commissioner of Health;
  - d. State Department of Health, Director, Injury Prevention Services;
  - e. Director, Department of Human Services;
  - f. Director, Oklahoma State Bureau of Investigation;
  - g. Commissioner, Department of Mental Health and Substance Abuse Services; *and*
  - h. Executive Director, Office of Juvenile Affairs.
  
2. Ten Review Board members are appointed by the Attorney General, each serve terms of two (2) years, and are eligible for reappointment. Each of the nominating agencies submit the names of three nominees for consideration of appointment by the Attorney General
  - a. A Sheriff (Oklahoma Sheriff’s Association);
  - b. A Chief of a municipal police department (Oklahoma Association of Chiefs of Police);
  - c. An attorney licensed in Oklahoma who is in private practice (Oklahoma County Bar Association);
  - d. A District Attorney (District Attorneys Council);
  - e. A physician (Oklahoma State Medical Association);
  - f. A physician (Oklahoma Osteopathic Association);
  - g. A nurse (Oklahoma Nurses Association);



## Appendix A

### Oklahoma Domestic Violence Fatality Review Board

- h. A domestic violence advocate (Oklahoma Coalition Against Domestic Violence and Sexual Assault);
- i. A domestic violence survivor (Oklahoma Coalition Against Domestic Violence and Sexual Assault);
- j. A tribal domestic violence advocate (Native Alliance Against Violence);
- k. A tribal domestic violence survivor (Native Alliance Against Violence); *and*
- l. A judge (Oklahoma Supreme Court).

#### What Types of Cases are Reviewed?

The Review Board identifies and reviews domestic violence-related homicides that occur in Oklahoma. The Review Board identifies and reports on a wide array of domestic violence cases, including intimate partner homicides *and* family homicides committed by family members who are not intimate partners, and roommates. Family members include, but are not limited to, parents, foster parents, children, siblings, grandparents, grandchildren, aunts, uncles, and cousins. The Review Board's use of such a wide definition is consistent with the Oklahoma statutory definition of domestic abuse (22 O.S. § 60.1.):

*"Domestic abuse"* means any act of physical harm, or the threat of imminent physical harm which is committed by an adult, emancipated minor, or minor child thirteen (13) years of age or older against another adult, emancipated minor or minor child who are family or household members or who are or were in a dating relationship. In addition to the relationships defined in statute, the Review Board also identifies and reports on domestic violence-related homicides that include victim fatalities in which a homicide perpetrator kills a non-family member, such as a bystander or Good Samaritan (non-involved person who intervenes on behalf of a victim).

#### Case Review Process

The fatality review process is similar to a public health model that promotes and protects the health of people and the communities where they live, learn, work, and play. The Review Board collects information related to cases from various sources, including the medical examiner (autopsies), criminal and civil court documents, law enforcement agencies, District Attorneys, Department of Human Services, mental health agencies, hospitals, batterer intervention programs, and media reports. In some cases, when appropriate, the Review Board will obtain background information from surviving family members, friends, and others. Because the Review Board conducts in-depth reviews, they are only able to review a portion of the overall number of qualifying domestic violence homicides in any given year. The Program Manager monitors the remainder of the cases. The Review Board discusses selected cases during monthly closed, confidential meetings. The Review Board strives to find ways in which the system could have better served the deceased victims prior to their deaths and surviving family members.

## Appendix A

### Oklahoma Domestic Violence Fatality Review Board

#### *The Review Process:*

- Review the circumstances and context of the death;
- Establish a timeline of events leading up to the death;
- Identify possible lethality risk factors (“red flags”);
- Determine which agencies were involved with the homicide perpetrator, victim, and children prior to the death;
- Identify agencies and system response;
- Identify collaboration and communication between the agencies involved;
- Identify agencies’ use of evidence-based best practices;
- Identify victim challenges and barriers to obtaining help (such as language, income, transportation, cultural beliefs, and values);
- Identify possible gaps in the system response to domestic violence (such as criminal justice, protective order, juvenile/family court, law enforcement, judiciary, and child welfare); *and*
- Ask, “Is there anything that could have been done differently to improve the systemic and/or community response to the victim and/or perpetrator?”

#### **Review Board Recommendations**

The Review Board uses data and information from in-depth case reviews to develop annual recommendations. Recommendations are critical to improving our communities’ ability to respond effectively to domestic violence, and enhance safety and access to resources for survivors. Recommendations are developed and presented as broad, rather than case specific, suggestions for professionals and systems to address the pressing issue of domestic violence. Additionally, the Review Board monitors updates on recommendations made in previous years.

The Review Board makes recommendations based on cases reviewed in the calendar year. However, actual homicides reviewed in any given calendar year may not necessarily have occurred in the same year as the review. Since the case must first be closed in the criminal justice system, there is usually a delay between the time the actual homicide occurred and when the case is reviewed. A closed case is one in which the homicide perpetrator is deceased or has gone through initial court proceedings. The exception is in the case of murder-suicide or familicide. With no surviving perpetrators, there are no criminal legal proceedings. Therefore, the Review Board reviews these cases in closer proximity to the actual time the death event occurred.

The Review Board is optimistic that systems, organizations, and agencies involved in the safety of victims, and in holding perpetrators of domestic violence accountable for their violent and abusive behavior, will review and implement the recommendations in a sustained community effort to prevent homicide and increase the quality of life for families in Oklahoma.

## Appendix A

### Oklahoma Domestic Violence Fatality Review Board

#### Dissemination of Review Board Findings and Recommendations

Each year, the Review Board disseminates findings in the form of an annual statistical report to the legislature as well as numerous agencies, organizations, and other stakeholders in Oklahoma.

#### Confidentiality

Effective case review requires access to records and reports pertaining to victims and perpetrators. The Review Board collects and maintains all information in a confidential manner in accordance with 22 O.S. § 1601. Per statute, the Review Board does not report personally identifying information and instead reports *de-identified and aggregated data* to maintain the confidentiality and privacy of domestic violence-related homicide victims and their families. When appropriate, the Review Board invites victims' families to appear before the Review Board to tell their stories. Their names remain confidential.

## Appendix B Domestic Violence Lethality-Screen for First Responders

Officer:	Date:	Case#:
Victim:	Offender:	Relationship:
Address of Incident:		Date and Time of Incident:
<u>      </u> Check here if the victim did not answer any of these questions.		
<b>A "Yes" response to any of Questions 1-5 automatically triggers the protocol referral.</b>		
1. Has the person ever threatened to use or used a weapon against the victim?	<u>   </u> Yes <u>   </u> No <u>   </u> Refused	
2. Has the person ever threatened to kill the victim or the children of the victim?	<u>   </u> Yes <u>   </u> No <u>   </u> Refused	
3. Has the person ever tried to choke the victim?	<u>   </u> Yes <u>   </u> No <u>   </u> Refused	
4. Has the person ever tried or threatened to kill him/herself?	<u>   </u> Yes <u>   </u> No <u>   </u> Refused	
5. Does the victim think the person will try to kill the victim?	<u>   </u> Yes <u>   </u> No <u>   </u> Refused	
<b>Negative responses to Question 1-5 but positive responses to at least three of Questions #6-11 trigger the protocol referral.</b>		
6. Does the person have a gun or can he/she get one easily?	<u>   </u> Yes <u>   </u> No <u>   </u> Refused	
7. Is the person violently or constantly jealous or does the person attempt to control most of the daily activities of the victim?	<u>   </u> Yes <u>   </u> No <u>   </u> Refused	
8. Does the person follow or spy on the victim or leave the victim threatening or unwanted messages, phone calls or text messages?	<u>   </u> Yes <u>   </u> No <u>   </u> Refused	
9. Does the victim have any children the person knows is not his/her own child?	<u>   </u> Yes <u>   </u> No <u>   </u> Refused	
10. Has the victim left or separated from the person after living together or being married?	<u>   </u> Yes <u>   </u> No <u>   </u> Refused	
11. Is the person unemployed?	<u>   </u> Yes <u>   </u> No <u>   </u> Refused	
<b>An officer may trigger the protocol referral, if not already triggered above, as a result of the victim's response to the below question, or whenever the officer believes the victim is in a potentially lethal situation.</b>		
Is there anything else that worries the victim about his or her safety? If so, what worries the victim?		
Check one: <u>   </u> Victim screened in according to the protocol		
<u>   </u> Victim screened in based on the belief of the officer		
<u>   </u> Victim did not screen in		
If victim <b>screened in</b> :		
Did the officer contact the local OAG Certified DV/SA Program or Tribal DV/SA Program? <span style="float: right;"><u>   </u> Yes <u>   </u> No</span>		
If "no" state why: _____		
<b>If the officer is unable to make contact with a hotline advocate at the local program after at least two attempts within a 10 minute period, contact the State SAFELINE at 1-800-522-SAFE (7233).</b>		
After advising the victim of high risk for danger/lethality, did the victim speak with the hotline advocate? <span style="float: right;"><u>   </u> Yes <u>   </u> No</span>		
<b>Note:</b> The questions above and the criteria for determining the level of risk a person faces is based on the best available research on factors associated with lethal violence by a current or former intimate partner. However, each situation may present unique factors that influence risk for lethal violence that are not captured by this screen. Although most victims who screen "positive" or "high danger" would not be expected to be killed, these victims face much higher risk than of other victims of intimate partner violence.		

## Appendix C

### Resources for Professionals

The Domestic Violence Fatality Review Board has compiled a list of local and national domestic violence resources that professionals might find helpful in their work and that will inform and support domestic violence intervention and prevention efforts, promote best practices and strategies to improve our collective response to domestic violence.

#### LOCAL RESOURCES

##### OKLAHOMA COALITION AGAINST DOMESTIC VIOLENCE AND SEXUAL ASSAULT

**405-524-0700 • <http://ocadvsa.org/>**

The Oklahoma Coalition Against Domestic Violence and Sexual Assault is a nonprofit organization that works to organize and mobilize domestic violence member programs to prevent and eliminate sexual and domestic violence and stalking in Oklahoma and Indian Country. The website provides information related to the activities of the OCADVSA and offers links to domestic violence, sexual assault, and stalking training materials for advocates, law enforcement, mental health, batterer intervention programs, and more. A list of domestic violence member programs is provided.

##### NATIVE ALLIANCE AGAINST VIOLENCE

**405-801-2277 • <https://oknaav.org/>**

The Native Alliance Against Violence (NAAV), is a nonprofit organization operating as Oklahoma's only tribal domestic violence and sexual assault coalition. The NAAV serves Oklahoma's federally recognized tribes and their tribal programs that provide victims with the protection and services they need to pursue safe and healthy lives. The NAAV website contains a list of tribal domestic violence programs in Oklahoma and other informational resources.

#### NATIONAL RESOURCES

##### NATIONAL RESOURCE CENTER ON DOMESTIC VIOLENCE

**1-800-537-2238 • [www.nrcdv.org](http://www.nrcdv.org) and [www.vawnet.org](http://www.vawnet.org)**

The National Resource Center on Domestic Violence (NRCDV) is a comprehensive source of information for those wanting to educate themselves and help others on the many issues related to domestic violence. Key initiatives work to improve community response to domestic violence and, ultimately, prevent its occurrence. NRCDV has many resources available to assist in the planning of domestic violence intervention and prevention efforts and offers comprehensive technical assistance, training, and resource development.

##### NATIONAL DOMESTIC VIOLENCE HOTLINE

**1-800-799-7233 • 800-787-3224 (TTY) • [www.thehotline.org](http://www.thehotline.org)**

Since 1996, the National Domestic Violence Hotline has been the vital link to safety for women, men, children, and families affected by domestic violence. The Hotline responds to calls 24/7, 365

## Appendix C

### Resources for Professionals

days a year and provides confidential, one-on-one support to each caller or by chat available through the website, offering crisis intervention, options for next steps, and direct connection to sources for immediate safety. Their database holds over 5,000 agencies and resources in communities across the country. Bilingual advocates are on hand to speak with callers, and their Language Line offers translations in 170+ different languages. The Hotline is an excellent source of help for concerned friends, family, co-workers, and others seeking information and guidance on how to help. The Hotline educates communities through events, campaigns, and dynamic partnerships.

#### BATTERED WOMEN'S JUSTICE PROJECT

**1-800-903-0111, ext. 3 • [www.bwjp.org](http://www.bwjp.org)**

The Battered Women's Justice Project is the national resource center on civil and criminal justice responses to intimate partner violence. They provide technical assistance and training to professionals engaged in these systems: advocates, civil attorneys, judges and related court personnel, law enforcement officers, prosecutors, probation officers, batterer intervention program staff, and defense attorneys; as well as to policymakers, the media, and victims, including incarcerated victims, and their families and friends. BWJP also assists tribal and military personnel who fulfill equivalent positions in their respective institutional responses to intimate partner violence.

#### BATTERED WOMEN'S JUSTICE PROJECT NATIONAL RESOURCE CENTER ON DOMESTIC VIOLENCE AND FIREARMS

**1-800-903-0111 • [www.bwjp.org/our-work/projects/firearms-project.html](http://www.bwjp.org/our-work/projects/firearms-project.html)**

The National Resource Center on Domestic Violence and Firearms and the Safer Families, Safer Communities Project work to prevent domestic violence-related homicides involving firearms. The website provides resources pertaining to effective interventions in both criminal and civil domestic violence cases that can decrease the risk posed by dangerous domestic-violence offenders with access to firearms.

#### NATIONAL HEALTH RESOURCE CENTER ON DOMESTIC VIOLENCE

**1-888-792-2873 • [www.futureswithoutviolence.org/health](http://www.futureswithoutviolence.org/health)**

The National Health Resource Center on Domestic Violence (HRC) supports healthcare professionals, domestic violence experts, survivors, and policy makers at all levels as they improve healthcare's response to domestic violence. The center offers personalized, expert technical assistance at professional conferences and provides an online toolkit for healthcare providers and domestic violence advocates to prepare a clinical practice to address domestic and sexual violence, including screening instruments, sample scripts for providers, and patient and provider educational resources.

## Appendix C

### Resources for Professionals

#### NATIONAL CENTER ON DOMESTIC VIOLENCE, TRAUMA, AND MENTAL HEALTH

**312-726-7020 • [www.nationalcenterdvtraumamh.org](http://www.nationalcenterdvtraumamh.org)**

The National Center on Domestic Violence, Trauma and Mental Health provides training, support, and consultation to advocates, mental health and substance abuse providers, legal professionals, and policymakers as they work to improve agency and systems-level responses to survivors and their children in a way that is survivor-defined and rooted in the principles of social justice. The website offers resources, educational materials and webinars related to domestic violence, trauma, and mental health directed toward various professionals groups.

#### **CULTURALLY-SPECIFIC RESOURCES**

##### NATIVE ALLIANCE AGAINST VIOLENCE

**(405) 801-227 • <https://oknaav.org/>**

Created in 2009, the Native Alliance Against Violence (NAAV), is a nonprofit organization operating as Oklahoma's only tribal domestic violence and sexual assault coalition. The NAAV is not a direct service provider, however they do serve Oklahoma's federally recognized tribes and their tribal domestic violence and sexual assault programs.

##### NATIONAL INDIGENOUS WOMEN'S RESOURCE CENTER

**1-855-649-7299 • [www.niwrc.org](http://www.niwrc.org)**

The National Indigenous Women's Resource Center, Inc. (NIWRC) is a Native nonprofit organization that was specifically created to serve as the National Indian Resource Center Addressing Domestic Violence and Safety for Indian Women. NIWRC seeks to enhance the capacity of American Indian and Alaska Native Tribes, Native Hawaiians, and Tribal and Native Hawaiian organizations to respond to domestic violence and provide public awareness, resource development, training and technical assistance, policy development, and research activities.

##### ASIAN AND PACIFIC ISLANDER INSTITUTE ON GENDER-BASED DOMESTIC VIOLENCE

**415-568-3315 • [www.apiidv.org](http://www.apiidv.org)**

The **Asian Pacific Institute on Gender-Based Domestic Violence** is a national resource center on domestic violence, sexual violence, trafficking, and other forms of gender-based violence in Asian and Pacific Islander communities. It analyzes critical issues affecting Asian and Pacific Islander survivors; provides training, technical assistance, and policy analysis; and maintains a clearinghouse of information on gender violence, current research, and culturally-specific models of intervention and community engagement. The Institute serves a national network of advocates, community-based service programs, federal agencies, national and state organizations, legal, health, and mental health professionals, researchers, policy advocates, and activists from social justice organizations working to eliminate violence against women.

## **Appendix C**

### **Resources for Professionals**

**CASA DE ESPERANZA: NATIONAL LATIN@ NETWORK OF HEALTHY FAMILIES AND COMMUNITIES**  
**651-646-5553 • [www.casadeesperanza.org/national-latino-network](http://www.casadeesperanza.org/national-latino-network)**

The Casa De Esperanza, Latin@ Network of Healthy Families and Communities is a leading, national Latin@ organization, founded in 1982, providing emergency shelter for Latinas and other women, family advocacy, and shelter services to leadership development and community engagement opportunities for Latin@ youth, women, and men. The Network provides training and consultations to practitioners and activists throughout the US, as well as in Latin America, and produces practical publications and tools for the field, disseminates relevant, up-to-date information and facilitates an online learning community that supports practitioners, policy makers, and researchers who are working to end domestic violence.

**INSTITUTE ON DOMESTIC VIOLENCE IN THE AFRICAN AMERICAN COMMUNITY [CLOSED]**  
**651-331-6555 • Dr. Oliver J. Williams Email: [owms63@gmail.com](mailto:owms63@gmail.com) • <http://idvaac.org/>**

The Institute on Domestic Violence in the African American Community (IDVAAC) was an organization focused on the unique circumstances and life experiences of African Americans as they seek resources and remedies related to the victimization and perpetration of domestic violence in their community. IDVAAC focused on the unique circumstances of African Americans as they face issues related to domestic violence, including intimate partner violence, child abuse, elder maltreatment, and community violence. IDVAAC closed in September 2016, but the information on the website and consulting services remain available.



## Oklahoma Domestic Violence Fatality Review Board

Oklahoma Office of the Attorney General  
313 N.E. 21st Street  
Oklahoma City, OK 73105

**Phone:** 405-522-1984

**Fax:** 405-557-1770

### Please go to [www.oag.ok.gov](http://www.oag.ok.gov)

- Copies of reports from previous years;
- Oklahoma Domestic Violence Fatality Review Board mission, purpose, definitions, methods and limitations of data collection, and data; and
- History of the Oklahoma Domestic Violence Fatality Review Board.

**Please widely disseminate this annual report.**

If you or someone you know needs help in a domestic violence situation, please call:

**SafeLine**  
**1-800-522-SAFE (7233)**

If you need general information about domestic violence, please call:

Oklahoma Coalition Against Domestic Violence and Sexual Assault (OCADVSA)  
(405) 524-0700

The Office of the Attorney General  
Victim Services Unit  
(405) 521-3921

If you need more information about the Oklahoma Domestic Violence Fatality Review Board, please call:

The Office of the Attorney General  
(405) 522-1984

**If you are in an emergency situation please dial 9-1-1.**

*Publication prepared by the Oklahoma Office of the Attorney General, Mike Hunter, on behalf of the Oklahoma Domestic Violence Fatality Review Board.*