

**Oklahoma Domestic Violence Fatality Review Board**  
313 N.E. 21<sup>st</sup> Street, Oklahoma City, Oklahoma 73005  
(405) 522-1984 | FAX (405) 557-1770

**MEETING MINUTES**

**February 28, 2024**

**Meeting Venue:** Office of the Oklahoma Attorney General  
313 NE 21<sup>st</sup> St, Oklahoma City, OK 73105

**MEMBERS**

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

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

Chair Brandon Pasley presided over the regularly scheduled meeting of the Oklahoma Domestic Violence Fatality Review Board, which was held at the Office of the Oklahoma Attorney General, 313 NE 21<sup>st</sup> St, Oklahoma City, OK on February 28, 2024. Notice of the meeting was posted annually with the Secretary of State before the December 15, 2023, deadline and at the front door of the Office of the Attorney General more than 24 hours in advance. Chair Brandon Pasley (OCADVSA) called the meeting to order at 9:10 am.

**II. Roll Call and Establishment of Quorum**

Roll call was conducted at 9:12 am. Quorum was achieved at roll call with 15 members present. Member Natasha Ferguson (OJA) arrived after roll call was conducted (9:32 am) and brought the total number of members counted towards quorum to 16. Three alternate designees were also present but were not counted towards quorum at the time of roll call due to the primary designee being present. The alternate designees present included Susan Laib (OAG), Melissa Van Duyn (OAG) and Heather Cropper (OSBI). DVFRB staff present included Anthony Hernández Rivera, OAG DVFRB Program Manager (PM) and Nicholas Massey, OAG Research Analyst.

OAG Grants Administrator Stephanie Lowery was also present as a guest speaker. Additional guests included OAG Victim Advocacy and Services Unit (VASU) staff Cindi Holderbee, Myel Solorzano, and Miguel Mojica.

Quorum was maintained throughout the meeting.

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

DVFRB PM Anthony Hernández Rivera stated he added this agenda item after he noticed minor corrections were necessary to the October meeting minutes that were approved during the November 2023 regular meeting. He stated the corrections consisted of changing language on the

agenda item titles of agenda item 3 and 4. The PM added the change to agenda item 3 consisted in correcting the date of the meeting minutes that were to be approved to September 27, 2023. He then said the change to agenda item 4 consisted in making sure the language matched the meeting agenda for that meeting. Mr. Hernández emphasized that no substantive changes were made to the agenda item narratives.

Beth Green (OSBI) moved to approve the corrected version of the October 25, 2023, regular meeting minutes at 9:12 am. Karen Cunningham (OAG) seconded the motion. The motion to approve the minutes passed by roll call vote (9 Aye, 6 Abstain, 0 Nay).

#### **IV. Discussion and Possible Action on Approval of Minutes from the November 29, 2023, Regular Meeting\***

Beth Green (OSBI) moved to approve the November 29, 2023, DVFRB regular meeting minutes at 9:13 am. Laura Kuester (OCADVSA) seconded the motion. The motion passed by roll call vote (10 Aye, 5 Abstain, 0 Nay).

#### **V. Discussion on DVFRB Member Designees, Nominations and Attorney General Appointments for the July 2024 – June 2026 DVFRB term.**

The DVFRB PM explained that the current term of Oklahoma Attorney General appointees to the DVFRB expired on June 30, 2024. He explained the DVFRB is required by statute to initiate the nomination process for potential Attorney General appointment every two years. He added the next term runs from July 1, 2024, to June 30, 2026.

Mr. Hernández explained he would be reaching out to the heads of state agencies of the first eight members listed in the DVFRB statute. He explained that the state agency heads designate at least one individual to serve on their behalf on the DVFRB. Mr. Hernández added that although designees do not serve a term because they serve at the pleasure of their agency head, he still contacts them every two years to make sure they have an opportunity to designate someone else if they wish to do so. The PM explained he would be contacting the executive directors of the 10 other organizations listed on the statute so they can nominate the individuals they wish to be considered for a potential appointment by the Attorney General to a two-year term on the DVFRB. He added he would be drafting the paperwork and contacting these points of contact directly, but also that he would include them in the email so they can keep up with the process.

Finally, the PM explained that historically the Attorney General has reappointed the individuals currently serving on the Board to an additional term if they have expressed interest in continuing to serve on the Board. He circulated a handout to members at the meeting where they could mark “Yes” or “No” on whether they wish to continue serving on the DVFRB. He asked to return the handout with their response at the end of the meeting.

#### **VI. Discussion and Possible Action on Creating a Subcommittee to Potentially Revise and Update the 2011 DVFRB Bylaws\***

The DVFRB PM explained that one of his goals in 2024 is for the Board to work towards revising and updating its bylaws. He explained the current version of the bylaws has not been revised since 2011 and there are changes that needed to be incorporated to the document. He pointed out that the DVFRB membership grew to 20 members a few years ago when the DVFRB statute was amended to include two members serving on behalf of the Native Alliance Against Violence (NAAV). This change to the number of members is not reflected on the current version of the bylaws. The PM added the membership might also increase to 21 by the end of the year if a current bill is signed into law wherein a member from the Department of Corrections (DOC) would join

the DVFRB. Another timely change he mentioned would be to specify the process of choosing the Chair and/or Vice-Chair if one retires or exits the Board in the middle of the term. He said this situation happened when former DVFRB Chair Donna Glandon (OJA) retired from public service. Mr. Hernández stated he sought the advice of an OAG Deputy General Council to determine a course of action in the current term. He added it would be helpful if the section of the bylaws that refers to these official positions includes language specifying how to proceed in the event of vacancies. He emphasized having a clear updated reference point would be necessary if another person started managing the DVFRB.

Board members acknowledged the DVFRB PM's concerns and agreed with his thinking. Mr. Hernández suggested he would like the DVFRB to set up a subcommittee that can contribute to the work he will be doing internally alongside OAG attorneys. He mentioned an estimated timeline for the completion of the project would be November 2024. This is due to the legislation adding the DOC member to the DVFRB potentially being approved by the end of the current legislative session in May 2024.

DVFRB Chair Brandon Pasley (OCADVSA) asked members whether anyone on the Board had expertise that can lend itself to this project. Beth Green (OSBI) mentioned the Board has several attorneys that could potentially contribute to this project. Sean Webb (DAC) stated he could contribute to the subcommittee's work. Mr. Hernández mentioned that several other attorneys that serve on the Board were not present at the meeting, but that he would contact them and recruit their help later. He mentioned Judge Sheila Stinson (Judiciary) and Julie Goree (OBA) could potentially contribute to committee's work.

Beth Green (OSBI) proceeded to make a motion to create the DVFRB Bylaws Revision Subcommittee at 9:27 am. Scott Hawkins (OSA) seconded the motion. The motion passed by roll call vote (15 Aye, 0 Abstain, 0 Nay).

## **VII. Presentation by DVFRB Program Manager (PM) Anthony Hernández Rivera on 2022 and 2023 DVFRB Recommendations Implementation Progress**

DVFRB PM Anthony Hernández Rivera explained he wished to give members an update on the progress in implementing the 2022 and 2023 DVFRB recommendations. He started by discussing the 2022 recommendation about adding a DOC member to the DVFRB. He stated Representative John Talley ran HB3752 during the current legislative session so there was a possibility the Board would see its membership increased to 21 by the end of the legislative session. Mr. Hernández then discussed the progress on the 2022 recommendation targeting the Lethality Assessment Protocol (LAP). He mentioned the recommendation called for LAP training to be offered at major law enforcement conferences and legislation mandating at least one hour of LAP training be incorporated into the annual peace officer continuing education training requirements. The PM stated he created a new OAG DVFRB training and rolled out the presentation at five different venues in 2023, impacting a total of 105 current law enforcement officers and/or cadets. The PM added this training initiative is ongoing in 2024 and he has trained at 3 different events and impacted 34 law enforcement personnel, cadets and domestic violence professionals. Mr. Hernández mentioned he has been compiling emails of everyone he has trained so that he can later distribute LAP training materials and Partners for Change Conference invitations. Finally, he mentioned this training initiative was a result of conversations with stakeholders mentioned on the recommendation such as the Oklahoma Sheriffs' Association and the Oklahoma Association of Chiefs of Police. Stakeholders mentioned it might be best to first raise awareness about the LAP through a training initiative instead of pursuing legislation in the short term. He told members the DVFRB might explore the feasibility of a future training recommendation that is broader in scope and addresses the fact that peace officers can go their entire career without receiving any

continuing education on domestic violence even though these are of the most common calls they respond to every year. The PM mentioned this could potentially be justified utilizing crime data.

The PM then proceeded to give an overview of the progress with 2023 recommendations. He mentioned the first recommendation was the funding one. Mr. Hernández told members that contrary to the draft they reviewed in November, the publication included a specific dollar amount. He added this was suggested by the OAG executive division after a review of the draft. Mr. Hernández mentioned the report was circulated to the legislative branches of government and the governor's office upon publication. He also added that the outcome of this recommendation hinges on the legislature taking appropriate action during the legislative session's budget process.

Mr. Hernández then discussed the progress on the second recommendation where the Board called for strengthening domestic violence laws. He mentioned HB3783 mirrors subpoint 1 of the recommendation, which argued that there was a need to eliminate the discrepancy between Domestic Assault & Battery with a Deadly Weapon in 21 O.S. 644 and its non-DV counterpart in 21 O.S. 652. The PM mentioned the bill seemed to specify what shooting means by specifying it can include firearms and other shooting weapons such as air guns. He added the DVFRB recommendation is to make DV A&B with Deadly Weapon to comport exactly to how its non-DV with a Deadly Weapon reads. Mr. Hernández added that for this to happen DV A&B with Deadly Weapon should not be limited to only when the shooting element is present. It should be by "means of any deadly weapon, by such or by such other means or force as is likely to produce death, or in any manner attempts to kill another". Assistant District Attorney Sean Webb (DAC) commented that prosecutors determine whether an object is a "dangerous weapon" premised on how it used. Meanwhile, he added the "deadly weapon" element must fall within a specific definition.

The DVFRB PM then gave an overview of HB3776, HB3784, and SB1236. He stated these bills align with subpoint 2 of the 2023 recommendation, which called for including domestic violence crimes outlined in 21 O.S. 644 as 85% crimes. Mr. Hernández mentioned HB3776 does a great job in outlining three of the DV crimes in 21 O.S. 644. However, the bill leaves out strangulation. In contrast, SB1236 does include strangulation in this 85% category. He then explained that HB3776 seems to be mentioning the DV crimes very succinctly. Mr. Hernández mentioned HB3776 approach might be more effective while also incorporating the strangulation focus on SB1236.

Mr. Hernández then proceeded to discuss HB3785, HB3775, and SB1211. He stated HB3785 mirrored subpoint 3, which argued there was a need to increase the range of punishment for first time Domestic Assault & Battery by Strangulation from 1 – 3 years to a broader range, such as 1 – 10 years. Meanwhile, HB3775 and SB1211 are slightly different versions that also align with subpoint 3. He said HB3775 seemed to be creating an entirely new offense called "Aggravated Strangulation" with a broader range of punishment (3 – 10 years) in addition to the already existing DV A&B by Strangulation with the shorter range of punishment of 1 – 3 years. He also added that SB1211 takes the existing language of the statute and just increase the range of punishment to 1 – 10 years. Mr. Hernández asked members for their feedback. DVFRB Chair Brandon Pasley said he was concerned about HB3775 and the new "Aggravated Strangulation" offense due to potential unintended consequences. In particular, he stated this could be detrimental to the prosecution of strangulation due to prosecutors not filing charges at all if it did not meet the "aggravated" element. He explained the organization End Violence Oklahoma (EVO), which formed as a result of the dissolution of the Oklahoma Coalition Against Domestic Violence and Sexual Assault (OCADVSA), has been monitoring bills and HB3775 was one they had concerns about.

Finally, Mr. Hernández discussed the progress on the 2023 recommendation targeting the 9-1-1 system. He reminded members the DVFRB met with the members of the Oklahoma 9-1-1

Management Authority in 2023 when they did a presentation during one of the Board's regular meetings. He stated the relationship we developed during that meeting would potentially help us develop a training relationship with them. Mr. Hernández told members he had a meeting scheduled with the 9-1-1 Management Authority team for Monday, March 4, 2024, to discuss possible areas for collaboration.

#### **VIII. Presentation by DVFRB Program Manager (PM) Anthony Hernández Rivera on New 2024 DVFRB Projects, Publications, and Recommendations Process**

DVFRB PM Anthony Hernández began his presentation by telling members he wanted to give them an overview of projects he would be working on behalf of the DVFRB throughout 2024. The first project he discussed was the creation of a DVFRB Domestic Violence Homicide Database. He mentioned one of the statutory requirements of the DVFRB is to have a database with data on domestic violence related deaths. However, throughout the program's history the data collected has predominantly been stored using Microsoft Excel. He said his goal was to transition away from Excel and move towards storing data in a Relational Database Management System (RDBMS). Mr. Hernández explained that Excel's functionality is not suitable for the systematic collection of data for each homicide event, victim, and perpetrator. In contrast, an RDBMS' functionality would enable staff to collect different kinds of data in different tables within a single file or cloud. An RDBMS for example would help us collect more thorough data on outcomes for every charge ever filed against victims or perpetrators. He explained moving towards a RDBMS system would help us build a better profile on who these homicide victims and perpetrators are and all their interactions with state systems.

The second project he discussed was the creation of a DVFRB homicide dashboard. This would be pending the successful acquisition of ESRI Geographic Information System (GIS) computer software. He added this tool will enable DVFRB staff to make DV data more accessible to the general public and will help the Board raise more awareness about the DV issues in Oklahoma. The third project discussed was new DVFRB publication in addition to the annual report. He cited Oklahoma State Bureau of Investigation (OSBI) one-to-two-page statistical publications prepared by their Statistical Analysis Center. He mentioned some ideas for future publication would be an infographic with information from the DVFRB report; an overview of rankings where Oklahoma ranks in the bottom such as our consistent top 10 ranking for women being murdered by men, and DV crime statistic profiles on individual counts or DA districts. He also mentioned he would like to write a statistical paper on sex crime trends in Oklahoma.

The final project he discussed was a future publication on Victim Services in Oklahoma. He stated the goal was to have a one-stop reference point that outlined how victim services work in Oklahoma. The goal would be to have an outline of what this report would look like by the end of 2024 and a potential publication the following year.

Mr. Hernández the briefly discussed that the OAG legislative team would be part of the discussions on the potential recommendations that will be included in the 2024 edition of the DVFRB report. He reminded members that we will start discussing potential recommendations starting in September and discussions will be ongoing till the November meeting.

#### **IX. DVFRB Domestic Violence Homicide Child Witness Subcommittee Work Update & Presentation by Stephanie Lowery, Grants Administrator for the Office of the Oklahoma Attorney General & DVFRB PM Anthony Hernández Rivera. Presentation Subject: Potential DVFRB Application to the USDOJ Office of Juvenile and Delinquency Prevention – Strategies to Support Children Exposed to Violence Grant**

DVFRB PM Anthony Hernández began his presentation by reminding members that in February 2023 the Board established a subcommittee to study issues surrounding child witnesses at the scene of DV homicides. He told members he met with subcommittee members throughout the Spring last year and during the April 2023 meeting we had a presentation by staff from the Arizona Child & Adolescent Survivor Initiative (ACASI). He explained that since then the trends of child witnessed identified during homicide events has stayed consistent. Mr. Hernández stated that staff had identified a potential grant to apply to in the future to advance the subcommittees work. He then turned over the presentation to OAG Grants Administrator Stephanie Lowery. Ms. Lowery said the DOJ released a grant in FY2023 called Strategies to Support Children Exposed to Violence. She stated the grant has not been released for FY2024, but that she is on the lookout because it might open in the future. She then gave an overview of the grant purpose described on the grant’s solicitation documentation and the expected deliverables. Ms. Lowery finished the presentation by saying the grant duration is for 36 months and has a \$970,000 cap limit.

**X. Presentation by Stephanie Lowery, Grants Administrator for the Office of the Oklahoma Attorney General & DVFRB PM Anthony Hernández Rivera. Presentation Subject: Potential DVFRB Application to the USDOJ Office of the Violence Against Women – Fiscal Year 2024 Research and Evaluation Initiative Solicitation Grant**

Ms. Stephanie Lowery began the presentation by giving an overview of the Research and Evaluation Initiative Grant. She stated the grant was funded through the DOJ Office of Violence Against Women (OVW) and had a \$500,000 cap. She added the grant could last anywhere from 12 to 36 months and its expected start date was November 1, 2024, and that no match was required. Ms. Lowery proceeded to give an overview of the grant’s purpose and mentioned one of the potential research topics outlined in the grant was the research, evaluation, and data analysis related to domestic violence homicide prevention. She then went over the expected outcomes/deliverables of the research project and mentioned the due date for a grant proposal was April 9, 2024. DVFRB PM Anthony Hernández Rivera then asked members for their input and potential areas they wished to be studied. Members expressed support for fielding an application. It was mentioned that a good topic to explore was how differences in accessibility to services between urban and rural areas may impact homicide rates in different areas of the state. Members also agreed that a research study would need to take into consideration social determinants of domestic violence.

**XI. Consideration of Motion to Adjourn to Executive Session\***

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

- a. **Adjourn to Executive Session\***
- b. **Continued Review and Discussion of case #200086**
- c. **Discussion of Potential Candidate Cases to Review in 2024 DVFRB Community Review**
- d. **Review and Discussion of case #200099**
- e. **Consideration of return from executive session and return to regular meeting agenda.**

Beth Green (OSBI) made a motion to adjourn to executive session at 11:08 am. Don Sweger (OACP) seconded the motion. The motion passed by roll call vote (16 Aye, 0 Abstain, 0 Nay). Quorum was maintained throughout the executive session. The Board concluded and came out of executive session at 11:58 pm.

Two members left the meeting just before the end of executive session. Quorum was still maintained with 15 members present due to an alternate designee being present for one of the members (primary) that left.

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

Beth Green (OSBI) made a motion 11:59 am requesting that the letter regarding case #200086 be mailed to the corresponding agency. Sarah Coffey (OOA) seconded the motion. The motion passed by roll call vote (14 Aye, 0 Abstain,0 Nay).

**XIII. 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.

**XIV. Announcements**

No announcement.

**XV. Adjournment\***

Beth Green (OSBI) made a motion to adjourn at 12:02 pm. Emily Nicholls (OSDH IPS) seconded the motion. DVFRB Chair Brandon Pasley declared the meeting adjourned at 12:03 pm.