

# SHIFTING THE BURDEN

*Domestic Violence: Ensuring Offender Accountability and Victim Safety*



OKLAHOMA DISTRICT ATTORNEYS COUNCIL  
FEDERAL GRANTS DIVISION

Volume 1, Issue 2

July 2009



## MAKING THE MARK

### Highlighting Coordinated Community Response Team Accomplishments

In 2005, the Domestic Violence Intervention Services, Inc. (DVIS) began forming a Coordinated Community Response team in Creek County, at the direction of then Program Coordinator Kendra Hellman. The team became official on October 18, 2005, at the annual Domestic Violence remembrance event in Sapulpa. Although the team has always focused on enhancing victim safety and accountability for offenders, the mission statement was not committed to paper until earlier this year.

In a short period of time, this team has made great strides in improving the response to domestic violence in their community. To date, the team has accomplished the following:

- The development of new victim rights card which includes the officer/deputy's name, statewide and local crisis numbers, and a risk assessment for the victim.
- A "field trip" to the state's only domestic violence "safe house." Advocates participating in "ride alongs" with law enforcement.
- Coordinating with Adult Protection Services and DVIS advocates to conduct joint home visits with elderly and disabled victims.
- Regular legal updates for law enforcement related to domestic and sexual violence.
- Regular updates to law enforcement on domestic violence court cases.
- Team members from DVIS, assisting Protective Order applicants off-site (those hospitalized and unable to go to court for the emergency protective order).
- Revision of policy for some of the (and hopefully eventually all) law enforcement agencies on strangulation case issues (using a new form and automatic call-out of Creek County Emergency Medical Services for strangulation victims).
- Sent a delegation to trainings in Dallas and Oklahoma City.

The long term goals of the Creek County Coordinated Community Response Team include the creation of a safe house and a dedicated domestic violence court in Creek County. The team works wonderfully together and looks forward to many more years of coordination in the pursuit of saving families.

The District Attorneys Council (DAC), Federal Grants Division is pleased to publish this Summer edition of *Shifting the Burden*, a newsletter for domestic violence prosecutors and members of Coordinated Community Response Teams.

The bi-annual newsletter is a product of the Domestic Violence Resource Prosecutor and Coordinated Community Response Project at DAC. We hope to provide you with information on current issues, legal updates, and activities and accomplishments of local CCR Teams.

Very Truly Yours,

**Melissa Blanton,**  
DVRP

**Sandra Thompson,**  
CCR Specialist

### Creek County Coordinated Community Response Team



**Front Row:** Suzanne Cunningham, Domestic Violence Intervention Services; Kimberly Frazier, Team Coordinator, Sheriff's Office/Domestic Violence Intervention Services; Sherri Watson, Domestic Violence Intervention Services; Becky Newhart, Domestic Violence Intervention Services; Dayna Sampson, Creek County District Attorney's Office; Gaye Wheeler, Human Skills and Resources

**Back row:** Randy Cooper, Domestic Violence Intervention Services; Lieutenant Wayne Williams, Creek County Sheriff's Office; Sheriff Steve Toliver, Creek County Sheriff's Office; Glen Hickerson, Assistant District Attorney, Creek County District Attorney's Office; Assistant Chief Christian Mattia, Kiefer Police Department; Detective Amy Nichols, Sapulpa Police Department; Bill Mosher, Human Skills and Resources; Lieutenant David Jones, Sapulpa Police Department

Other team members not pictured: Captain John Cooper, Creek County Sheriff's Office; Captain Bret Bowling, Sapulpa Police; and Scott Forrester, Paramedic, Creek County Emergency Ambulance Services.



## SHIFTING THE BURDEN

### Domestic Violence Training Available to Local Law Enforcement Agencies

Law Enforcement officers across the state of Oklahoma are tasked with effectively responding to and investigating many domestic violence incidents in the course of their work. These cases can be among the most dangerous not only for the victims, but for the officers themselves. Quality training on specific domestic violence issues is needed for all officers to ensure adequate victim safety, offender accountability and officer safety.

Recently, District Attorney Mike Boring, who serves Cimarron, Texas, Beaver, and Harper Counties, in collaboration with Guymon Police Chief Eddie Adamson, requested domestic violence training for their local law enforcement officers. After determining what topics were desired, Melissa Blanton, Domestic Violence Resource Prosecutor and Sandra Thompson, Coordinated Community Response Specialist, both from the District Attorneys Council (DAC), developed a one-day training using materials from the Federal Law Enforcement Training Center Curriculum, which they have been trained to present. Topics in the seven hours of training included: Domestic Violence Basics, The Initial Call, On Scene Arrival, The Arrest Decision, Interviewing, Evidence Gathering, and Effective Report Writing. The training was presented in Guymon, Oklahoma, on April 21, 2009 and repeated on April 23, 2009. Blanton and Thompson requested the assistance of Lieutenant Eric Holtzclaw of the Enid Police Department to assist in co-presenting the training. Lt. Holtzclaw has previous experience investigating domestic violence cases, serving on the local CCR Team, and is currently the agency's 911 Administrator. Lt. Holtzclaw's experience brought much needed information to the training. The team of presenters included viewpoints from prosecution, law enforcement, and victim advocacy, which provided a well-rounded training that encouraged thinking beyond traditional roles and aided participants in considering how to best serve victims and hold offenders accountable within the community.

Through this collaborative effort, a total of 67 local professionals were trained in the basics of domestic violence investigations, including forty nine (49) law enforcement officers from eleven (11) law enforcement agencies within the four-county district were trained. Because grant funding through the District Attorneys Council was available, the training was provided at no cost to the participants.

The District Attorneys Council is just one state-wide agency equipped to provide domestic violence training to local law enforcement agencies. The Oklahoma Regional Community Policing Institute (ORCPI) provides regional trainings on various domestic violence topics throughout the year on an ongoing basis. The Oklahoma Coalition Against Domestic Violence and Sexual Assault (OCADVSA) also provides domestic violence training and is currently working with the Council on Law Enforcement Education and Training to provide the mandatory hours of training on sexual assault investigations to law enforcement across the state. Another agency providing law enforcement training is the Office of the Attorney General (OAG), who provides training on local and state topics, but also federal provisions effecting domestic violence investigations. Each of these agencies provides training and is available for specific topical requests.

#### **District Attorneys Council**

Contact: Melissa Blanton at 405-264-5008 or [melissa.blanton@dac.state.ok.us](mailto:melissa.blanton@dac.state.ok.us)

#### **Oklahoma Regional Community Policing Institute**

Contact: Dawn Stover at 405-671-8742 or [info@orcpi.com](mailto:info@orcpi.com)

#### **Oklahoma Coalition Against Domestic Violence and Sexual Assault**

Contact: Beth Stanford at 918-647-5814 or [ocadvsa@windstream.net](mailto:ocadvsa@windstream.net)

#### **Office of the Attorney General, Victims Services Unit**

Contact: Tamatha Mosier at 405-521-3921 or [Tamatha.Mosier@oag.ok.gov](mailto:Tamatha.Mosier@oag.ok.gov)

#### **2nd Annual**

#### **Award for Excellence in Action Against Domestic Violence**

**Nominate Someone  
Today!**

We are taking nominations for the 2009 Award for Excellence in Action Against Domestic Violence. The Oklahoma District Attorneys Council, the Oklahoma Coalition Against Domestic Violence and Sexual Assault, and the Office of the Attorney General are presenting the 2nd annual award to individuals who dedicate their lives to responding to domestic violence incidents and/or providing services to victims. Award recipients will be recognized during a press conference at the State Capitol on October 1, 2009. Nominations must be received no later than August 31, 2009.

A nomination form may be obtained by visiting [http://www.ok.gov/dac/Federal\\_Grants/Domestic\\_Violence\\_Resource\\_Prosecutor\\_/index.html](http://www.ok.gov/dac/Federal_Grants/Domestic_Violence_Resource_Prosecutor_/index.html) or by contacting Melissa Blanton at [melissa.blanton@dac.state.ok.us](mailto:melissa.blanton@dac.state.ok.us).

## State of the State: Coordinated Community Response Teams in Oklahoma

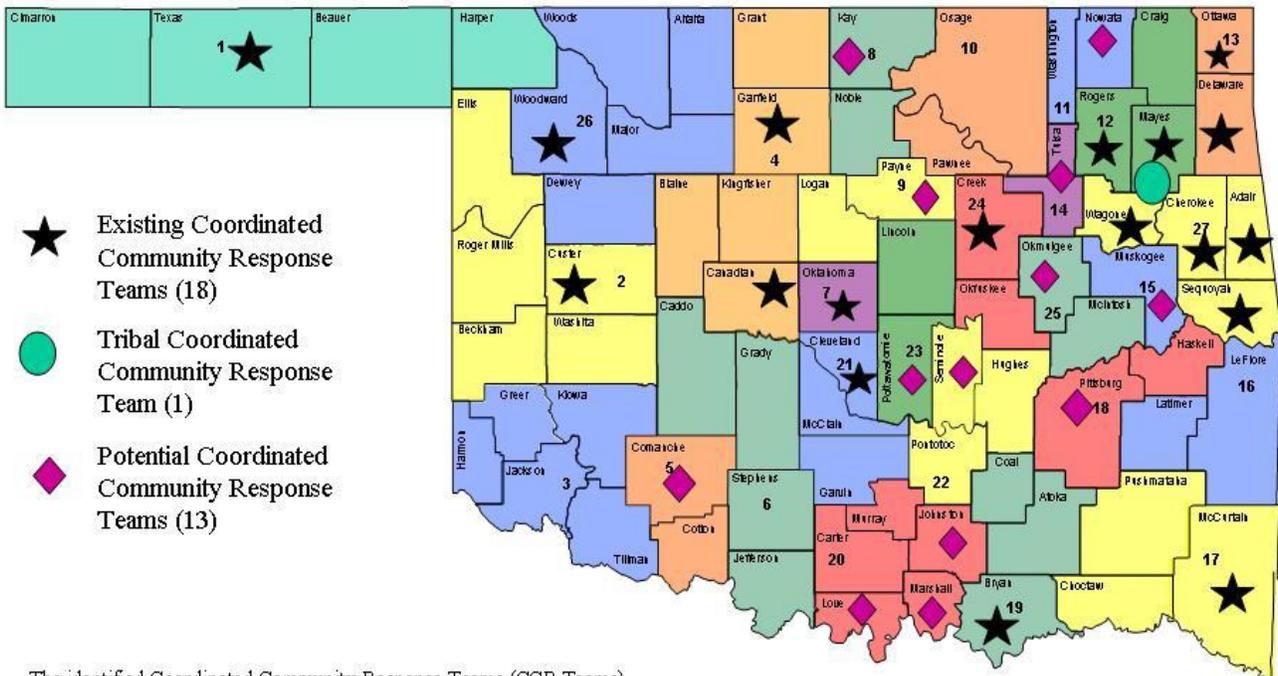
When the ARREST grant proposal for Oklahoma’s Domestic Violence Resource Prosecutor and Coordinated Community Response Project was written, one of the objectives was to assist in the development of six (6) Coordinated Community Response Teams within the 2007-2009 grant period.

Presentations were given to communities describing the benefits of developing a Coordinated Community Response Team and teams were formed with the focus of increasing victim safety and offender accountability. There are currently nineteen (19) teams, including the state’s first tribal team through the Cherokee Nation. Thirteen (13) additional communities have voiced interest in developing a team in the near future.

Teams are motivated by the hope of system-changing outcomes.

If you would like more information about the CCR Team model or are interested in developing a CCR team in your community, please contact Sandra Thompson at **405-264-5008** or [sandra.thompson@dac.state.ok.us](mailto:sandra.thompson@dac.state.ok.us).

**Teamwork:**  
Simply stated, it is less me and more we.  
*-Unknown Author*



The identified Coordinated Community Response Teams (CCR Teams) are established. The sites identified as potential have expressed an interest in starting a CCR Team. Some sites currently have a Domestic Violence Task Force and some do not.

**Information compiled by Sandra Thompson, CCR Specialist, District Attorneys Council.**



### Risk Assessment

*Excerpts from Chapter Ten of  
“What Employers Can Do to Minimize the Impact  
of Domestic Violence and Stalking in the Workplace”*

**By Pam Paziotopoulos & Robin Runge**

Domestic violence cases are complicated. Often times these cases look innocuous, especially where there is no physical evidence or additional witnesses to corroborate the abuse. For example, there are cases where the batterer is charged with phone harassment, or where the abuser violates a protective order by appearing at the victim’s home. It may not be initially apparent that this situation may have reached a serious stage and could result in a homicide. In such cases, prosecutors should search for ways to gain insight on how far along the path an offender is in attacking his or her victim. When a serious crime occurs, people are often apt to say that the individual just “snapped”. It is well recognized among threat assessment professionals that people don’t just snap, rather, they have displayed behaviors which could raise concerns for their potential for violence.

It is critical that prosecutors become cognizant of these behaviors of concern so they can present them to the Judge during the bond hearing, case in chief, and sentencing. Often times, domestic violence abusers do not have criminal rap sheets thus leading to very lenient bonds or sentencing. However, if numerous lethality behaviors are present, this individual can be a danger to not only the victim, but to the general public.

If the victim is prepared to discuss the abusive situation, a law enforcement officer or prosecutor can assess it. However, it is highly recommended that the responses of the victim be documented in writing to determine whether the indicators listed below are present. Moreover, when interviews are being conducted, it is imperative for the interviewers not to limit their questions to the incident reported. As an example, if the abuser had phoned the victim, the interviewer may simply restrict his questions to the call: “When did it occur? What was said?” Just asking the who, what, when, how, and why questions may achieve quick results for documentation, but it fails to touch the underlying issues. It is imperative for victims of domestic violence that their abusive incident be met with prompt and supportive attention by those within the criminal justice system. This reaction will both validate the victim’s concerns about safety, as well as communicate concern and interest in the matter.

Many incidents reported to law enforcement are smaller segments of larger, more complicated, problems. It is important to keep in mind that as in the previous example, the phone call may be just the tip of the iceberg, and what may seem like a fairly innocuous situation can quickly escalate. The following list of pre-incident indicators or “red flags” may be incorporated into your interview to assist you in obtaining information about the victim and the severity of the abuse. This information will be extremely helpful when charges are brought against the abuser. Risk assessment information can be used during the bail hearings. In those situations the victim is commonly not present for the bail hearing, nor has the prosecutor had an opportunity to review these possible red flags with the victim. It is imperative that these risk factors are conveyed by law enforcement in the initial police report. This information will provide tremendous insight into the nature and level of violence existing within this particular situation. For a more comprehensive list of red flags or lethality indicators in domestic violence and stalking cases, please see, “Workplace Violence Prevention: A Practical Guide, STP Specialty Publishers, Published, Fall, 2002, or “Domestic Violence Policies and Procedures” *Deskbook for Prosecutors*, January 2001.

#### Status of Relationship:

One of the most critical pieces of information is whether or not the victim is still in the abusive relationship, or whether she has terminated the relationship. It is well known that in most domestic violence homicides the victim had recently communicated to the perpetrator that the relationship was at an end, or had left the relationship. If the answer is “yes”, then it is imperative to construct safety plans for the victim at home and at work. During this time, stalking behavior is quite common. The offender no longer knows where she lives, but knows where she works and knows where her family and friends live. Thus, it is common to see phone harassment, violations of protective orders, appearing at victim’s workplace during the stalking stage. This is the most dangerous time for the victim and, potentially, her friends, family, and co-workers.



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## The Abuser's Reaction to Break up or Separation:

How did the abuser handle the break up? Did the abuser try to prevent the victim from leaving the home? Rip out the telephone? Follow the victim to a friend's house? Become obsessed with finding the victim? Experts characterize this reaction as "interfering with the victim's 'help-seeking behavior.'" Violence is known to escalate during this period because the perpetrator fears losing control over the victim and will generally increase the level of violence to increase the victim's fear.

## Order of Protection:

Determine whether the victim has sought an order of protection (or restraining order) in the present situation or ever applied for one in the past. If the victim answers "yes" to either question, the situation has probably escalated. The next vital question is how the abuser reacted to the order. If he violated it, it can be inferred that he has no regard for the criminal justice system, and that it will not act as a deterrent to him. Safeguards should be put in place for the victim before he is served with the order, if possible, especially if the offender has exhibited volatile behavior in the past when served.

## Abusers who Resist Arrest:

If the abuser has ever been arrested for a domestic violence offense or any other criminal offense, there is a chance that the person may have fought with the police officers or attempted to refuse being arrested. If this is the case, then again it can be assumed that the criminal justice system may not be a deterrent for this individual.



## Using Alcohol or Drugs:

There is a great misconception that abusers physically or mentally abuse others because they are under the influence of drugs or alcohol. This is simply incorrect. There are abusers who have never used drugs or alcohol, and there are alcoholics or drug addicts who have never abused their partners. The only link between substance abuse and domestic violence seems to be that domestic violence may be exacerbated by an abuser's recently increased intake of drugs or alcohol.

## Fear:

One can speculate about how lethal the situation may be, but only the victim holds the true answer to this question. If the victim has ever visited a shelter before, it is a good indication of real fear, because hiding from the offender is an excellent indication of real danger. Interviewers often forget to ask the victim some very obvious questions to determine fear, such as:

“Are you afraid of the abuser?”

“Have you ever gone to a domestic violence shelter?”

“Has the abuser ever physically abused you to the point that you had to seek medical attention?”



## Guns:

It is important to know whether the abuser has a gun. Keep in mind that the recent acquisition of a gun can be a more dangerous factor than having kept a gun in the house for 20 years. Recent gun acquisition suggests that it is intended for some kind of future violent act.

## Suicide:

Obviously, thoughts of suicide, severe depression, and other mental illnesses can contribute to an abuser acting out violently. Many times, abusers who have been instructed by their doctors to take certain medication fail to comply with the doctor's instructions. This decision can result in dangerous consequences for the victim. Additionally, many abusers will express a desire to commit suicide. If these factors are present, the important information to ascertain is, "What medication is the abuser taking?" "For what illness?" If statements regarding suicide have been made, inquire how specific the abuser was in articulating a suicide plan. Did the plan include murdering the victim too? Did the plan include harming the children? The more concrete details and specificity of the plan, the higher risk to the victim.

## Children:

Committing violence in front of children generally escalates the potential for committing harm to the mother. If the abuser becomes violent irrespective of the audience, it often signals violence that is out of control and will soon be escalating. Teenagers often try to intervene to stop the abuse and become injured in the process. The question that must be posed: "Is the violence in front of the children?"

## Symbolic Violence:

Abusers will often destroy property that is very special to the victim. It may be an award received at work or favorite photographs. Another similar tactic is sending the victim dead roses. The presence of this indicator suggests the destruction that the abuser wishes upon the victim.

## Threats:

If the abuser has been threatening the victim, it is important to evaluate those threats. How does the abuser communicate those threats? How specific are those threats? Even a love note, flowers, or a card can be construed as a threat if the victim has dissolved the relationship.



## Abuser Experiencing a Downward Turn in Life:

What is going on within the abuser's personal and professional life? Is the abuser employed? Recently demoted or fired? Has the abuser experienced any personal losses, such as death of a loved one, or a recent divorce? If either personal or professional life has taken a turn for the worse, the abuser may be spiraling downward quickly and could decide to take the victim down too.

## Assessing Past Physical Violence:

It is important to determine whether or not there has been past physical violence. All physical violence should be documented and noted, including what the victim may characterize as only a "push" or "shove." Some victims may not characterize a push or shove as physical violence, so it is essential to probe the victim who replies that there has been no physical violence. **At the other extreme, if the abuser has ever put hands around the victim's neck and attempted strangulation, this should be considered a very high indicator of future violence. Often, this is the last step before homicide.** To determine the severity of the violence, an inquiry should be made if the violence has been increasing in frequency and severity.

## Past Relationship History:

More often than not, if the abuser had a past relationship, there was abuse in that relationship. In many situations, the victim will be aware of how that past relationship ended, and whether or not that individual had to seek a protective or restraining order against the abuser to end the earlier relationship. Be sure to note the history of the abuse.

It is difficult to state which of these indicators are more likely to point to a future homicide. However, the U.S. Department of Justice refers to the following list as the top five risk factors. The numbers in parenthesis indicate the degree of homicidal risk for women faced with this plight in contrast to women who have not encountered this situation. For instance, according to this study, women who were threatened or assaulted with a gun were twenty times more likely than other women to be a homicide victim.

- Has the abuser ever used, or threatened to use, a gun, knife, or other weapon against victim? (20.2 times more likely)
- Ever threatened to kill or injure victim? (14.9 times more likely)
- Ever tried to strangle (choke) the victim? (9.9 times more likely)
- Is abuser violently or constantly jealous? (9.2 times more likely)
- Has abuser ever forced victim to have sex? (7.6 times fore likely)

Although there is not a foolproof way of determining how lethal a situation can be, incorporating these red flags into the assessment of a case will enable the investigator or prosecutor to make more informed decisions and determine how far along on the path to violence is the offender. It will also be helpful in making the appropriate referrals and community links for victims.

## Acknowledgements:

- *The authors would also like to acknowledge the contributions of our research assistant, Andrea Kovach, to this chapter.*
- *The Prosecutors Deskbook, "Domestic Violence Policies and Practices," Third Edition, American Prosecutors Research Institute.*
- *National Institute of Justice, Assessing Risk Factors for Intimate Partner Homicide, Journal No. 250 (2003).*

*This article was reprinted with permission from the author, Pam Paziotopoulos, Senior Advisor, Intimate Partner Violence & Stalking Prevention, Center for Personal Protection and Safety, North 108 Washington, Spokane, Washington, 99201. The Center for Personal Protection and Safety website can be viewed at [www.cpps.site.com](http://www.cpps.site.com).*



## Census Reveals a Snapshot of Violence in America: Hard economic times mean greater danger

(February 11, 2009) Washington DC - On one day in America over 20,000 victims of domestic violence and their children fled their homes because they feared for their lives. Hungry and afraid, they left most of their possessions behind looking for a safe place to sleep and a new start. These victims were met by domestic violence advocates who all too often struggle to meet their most basic needs. Housing, food and safety are just the beginning for someone who must begin again. This is just one of the statistics gathered from the latest survey conducted by the National Network to End Domestic Violence (NNEDV).

Every year NNEDV conducts a 24-hour survey of domestic violence programs across the country to capture a snapshot of domestic violence and service providers in the United States. Despite the many victims that received services, an additional 8,927 requests for assistance were unmet because of limited funding.

“The current economy is very troubling for us,” said an advocate from a Texas domestic violence program. “In this coming year, we’re worried private donors will give less because of the economic downturn. We’ll have to cut hours and staff, which will prevent us from providing a full range of services in our rural area.”

“During a time of economic uncertainty, when there are not enough jobs and even less resources, domestic violence victims are directly affected,” said Sue Else, president of NNEDV. “Right now, victims are unable to meet even their most basic needs. As employment opportunities and safe housing becomes increasingly scarce women and children are left more vulnerable to violence.”

Released today, the National Census of Domestic Violence Services reported that on September 17, 2008, despite difficulty in raising funds for core services, domestic violence programs nation-wide provided services to 60,799 adults and children in just one day. Additionally—

- Over 20,300 adults and children sought refuge in emergency shelter.
- More than 10,000 adults and children were living in transitional housing.
- Over 30,300 adults and children received non-residential services, such as counseling, legal advocacy, and children support groups.
- Over 21,500 domestic violence hotline calls were answered.

As in years past, this year’s census paints an appalling picture of the problem. But even more disturbing is another picture: the frightening reality of a bad economy that hits victims of domestic violence especially hard.

The National Census of Domestic Violence Services is available online at [www.nnedv.org/census](http://www.nnedv.org/census).

### What About Oklahoma?

On September 17, 2008, 77% or 27 out of 35, of identified domestic violence programs in Oklahoma participated in the 2008 National Census of Domestic Violence Services.

The following figures represent the information provided by 27 participating programs about services provided during the 24-hour period.

- \* **758** Victims Served in One Day (378 - emergency shelters or transitional housing and 380 - non residential assistance and services).
- \* **488** Hotline Calls Answered (More than 20 calls every hour)
- \* **157** Educated in Prevention and Education Trainings (17 trainings total)
- \* **73** Unmet Requests for Services in One Day (33 who needed emergency shelter or housing)

*Information on this page was reprinted with permission from the National Network to End Domestic Violence. [www.nnedv.org](http://www.nnedv.org)*

% of Participating OK Programs Providing Services on the Census Day	
93%	Individual Support or Advocacy
63%	Children’s Support or Advocacy
41%	Legal Accompaniment/Services
30%	Group Support or Advocacy
30%	Transitional Housing
22%	Financial Skills/Building
11%	Translation/Interpretation Services
11%	Rural Outreach

THERE WERE 38 DEATHS  
IN OKLAHOMA  
ATTRIBUTED TO  
DOMESTIC VIOLENCE  
BETWEEN JANUARY 1  
AND MAY 27, 2009.



### Did You Know... ?

- There have been **38** deaths in Oklahoma between January 1, 2009, and May 27, 2009, that have been initially attributed to domestic violence. Those deaths include **31** homicides and **7** suicides.
- Each year, about **324,000** pregnant women in this country are battered by their intimate partners. That means abuse is more common for pregnant women than gestational diabetes or preeclampsia -- conditions for which pregnant women are routinely screened. However, few physicians screen pregnant patients for abuse.
- **50%** of men who frequently assault their wives also frequently assault their children, and the U.S. Advisory Board on Child Abuse and Neglect suggests that domestic violence may be the single major precursor to child abuse and neglect fatalities in this country.

(Information gathered from the Oklahoma Coalition Against Domestic Violence and Sexual Assault ([www.ocadvsa.org](http://www.ocadvsa.org)) and the Family Violence Prevention Fund - Facts on Health Care and Domestic Violence ([www.endabuse.org](http://www.endabuse.org)))

*"I have always  
thought the  
actions of men  
the best  
interpreters of  
their thoughts."*

-John Locke

### Useful Web Links and Resources

[www.ncjfcj.org](http://www.ncjfcj.org) - National Council of Juvenile and Family Court Judges This site contains information and resources for the judicial system as well as other professionals who come into contact with the criminal or civil court systems surrounding domestic violence issues.

[www.ndaa.org/apri/programs/vawa/vaw](http://www.ndaa.org/apri/programs/vawa/vaw) - National Center for the Prosecution of Violence Against Women This site contains information and resources for domestic violence and sexual assault prosecutors and notices on national trainings.

### The Missing Link - 911 Recordings

In handling the unique challenges of domestic violence cases, prosecutors and law enforcement officers rely heavily on the evidence provided by 911 recordings. A large number of domestic violence cases are prosecuted without the victim's presence to testify. The 911 recording, including the victim's statements to the dispatcher, may be admitted in full or in part to provide to the court information about what was occurring when the call was made. Often, because there are no other witnesses to acts of domestic violence, the recording may be the only evidence of the incident. The 911 recording is the sole piece of evidence, aside from eyewitness testimony, about what was happening prior to law enforcement arrival. The recorded information, if used at trial, can take a jury back to the scene of the crime and help make it "real" for them. If the victim decides to testify at trial, the 911 recording could be used to bolster that testimony by providing corroborating evidence about the facts of the incident. Law enforcement officers and prosecutors alike can gain information about other witnesses to the incident. These may include witnesses who were present or relatives and neighbors who were somehow alerted to the altercation.



Communications/Dispatch personnel should be fully trained in the dynamics of domestic violence in order to obtain sufficient information during a domestic violence call to meet the primary objective of ensuring victim and officer safety. However, a skilled Communications Officer may also be able to provide crucial information to the prosecutor. Good 911 tapes make stronger cases and stronger cases lead to convictions, many of which may be in the form of guilty pleas prior to trial.

*Information for this article was obtained from the Domestic Violence Unit of the Pierce County, Washington Prosecutors Office.*

## LEGAL UPDATE

**Look for these domestic violence and sexual assault provisions from this year's Oklahoma legislative session to be effective currently or very soon.**

**House Bill 1892** – Amends Title 21 O.S., §644 by enhancing the definition of strangulation to include asphyxia (or the closure of the nostrils or mouth as a result of external pressure on the head.)

Effective Date: November 1, 2009

**House Bill 1739** – Amends Title 43 O.S., §109 which relates to domestic violence, harassment, stalking, and child custody.

Effective Date: November 1, 2009

**Senate Bill 894** – Creates a new law at Title 10 O.S., §7104 which provides that certain health care professionals examining, attending, or treating the victim of what appears to be or is reported by the victim to be rape, rape by instrumentation or forcible sodomy, as defined by the Oklahoma criminal statutes or any form of sexual assault, shall not be required to report any incident of what appears to be or is reported to be such crimes if: 1) Committed upon a person who is over the age of eighteen (18) years; and 2) The person is not an incapacitated adult. (And other provisions.)

Effective Date: November 1, 2009

**Senate Bill 339** – Amends Title 10 O.S., §7003-2.4 by modifying provisions for child placement to include a determination of domestic violence.

Effective Date: In effect

**Senate Bill 539** – Amends Title 19 O.S., §215.33 by requiring that the district attorney and certain police give victims of violent crime written notice of certain rights: 1) A statement that, “As a victim of crime, you have certain rights”; 2) Telephone and address information for the local District Attorney Victim-Witness Coordinator; and 3) The website address where victims can access a full list of their rights, additional information, and how to apply for crime victim compensation assistance.

Effective Date: July 1, 2009

**Senate Bill 932** - Establishes a task force to look at temporary concealed weapons licenses to a person under the protection of a protective order, to continue to January 1, 2010.

Effective Date: In effect

**Senate Bill 1020** – Adds a new law at Title 21 O.S., §644.1 whereby any person who commits domestic abuse and has a prior pattern of abuse shall be guilty of a felony.

Effective Date: July 1, 2009

**Senate Bill 1102** – Amends Title 22 O.S., §991a to include that a person found guilty of a misdemeanor offense of assault and battery, domestic abuse, stalking,.....shall submit to DNA testing for law enforcement identification.

Effective date: In effect

**Senate Bill 1103** – Creates a new law at Title 22 O.S., Section 70 whereby a pregnant woman is justified in using force or deadly force against another person to protect her unborn child against unlawful force or unlawful deadly force she reasonably believes to be threatening her unborn child and she reasonably believes her intervention and use of force or deadly force immediately necessary to protect her unborn child.

Effective date: November 1, 2009

*This summary was provided by the Oklahoma Coalition Against Domestic Violence and Sexual Assault.*



## The Domestic Violence Resource Prosecutor and Coordinated Community Response Specialist Project



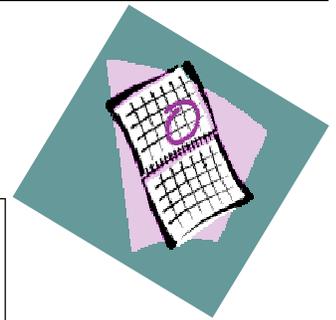
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To access an additional copy of this newsletter go to  
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For further information, please contact Melissa Blanton or Sandra Thompson at (405) 264-5008.

### 2009 Training Opportunities



Date(s)	Title	Location	Sponsor
July 8 - 10, 2009	Using Expert Witnesses In Domestic Violence Prosecution: A Training for Prosecutors and Victim Advocates	OU College of Law Norman	DAC
July 14, 2009	Evidence Based Sexual Assault Investigations	Norman	ORCPI
July 29, 2009	Law Enforcement Boot Camp	Shawnee	OCADVSA
July 30, 2009	Law Enforcement Response to Stalking	Tulsa	ODADVSA DOC
July 29 - 30, 2009	Evidence Based Investigation and Prosecution	Tahlequah	Cherokee Nation Marshal Service
Sept. 9 - 10, 2009	Partnership Conference on Domestic Violence, Sexual Assault and Stalking	Oklahoma City	Multiple Agencies
Oct. 31 - Nov. 4, 2009	National Conference on Domestic Violence	San Antonio, TX	NDA

*People grow through experience if they meet life honestly and courageously. This is how character is built.*

*-Eleanor Roosevelt*

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