

# Oklahoma Domestic Violence Fatality Review Board

## BYLAWS

### **Article I Name.**

The name of this organization shall be the Oklahoma Domestic Violence Fatality Review Board, as established under Title 22, Section 1601. Herein, the Oklahoma Domestic Violence Fatality Review Board will be referred to as the Board.

### **Article II Mission.**

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

### **Article III Purpose.**

1. The Oklahoma Domestic Violence Review Board shall review and study the fatalities caused as a direct result of domestic violence acts and/or domestic violence is demonstrated to have had a causative effect upon the death of an individual. The Board shall
  - a. Conduct an in-depth review of every domestic violence situation resulting in a fatality;
  - b. Develop accurate statistical information of domestic violence-related fatalities;
  - c. Make recommendations to improve access to protective services to those who may be living in a dangerous domestic environment;
  - d. Make recommendations to improve policies, procedure and access to support systems that serve victims of domestic violence; and
  - e. Carry out such duties and responsibilities as the Board shall designate.
2. In fulfilling this purpose, the Board shall be guided by specific principles:
  - a. Case review and data analysis shall be for the purpose of resolving systemic issues. Individual case management shall be specifically outside the purview of the Board.
  - b. The Board shall be inclusive, seeking input from, and the expertise of, the diverse agencies and disciplines working to resolve domestic violence issues.

- c. Collaboration, coordination and communication shall be central to the operations of the Board.
  - d. All activities shall be conducted in a manner respectful to victims of domestic violence and the feelings of their families.
3. The Oklahoma Criminal Justice Resource Center shall promulgate policies and procedures to administer the Board.

#### **Article IV     Activities of the Board**

The Board shall:

1. Establish a definition of a domestic violence fatality for use in recognizing and resolving domestic violence. The definition shall be understandable by the disciplines involved, including but not limited to criminal justice agencies, medical service providers, and social service support organizations, and the general public.
2. Review cases involving a domestic violence-related fatality consistent with the purposes and principles of the Board.
3. Review each case where the cause of death is or may be related to domestic violence.
4. Establish and maintain statistical information related to the deaths arising from, or with a clear history of, domestic abuse, including but not limited to demographic, criminal case historical files, and medical diagnostic, treatment and/or forensic information.
5. Establish procedures for obtaining information from first-source and repository agencies and organizations.
6. Review policies, practices and procedures of criminal justice, medical and social service systems and make specific recommendations for actions to improve the system.
7. Review the extent to which the systems involved coordinate with one another and evaluate whether the state is effectively discharging its responsibilities to resolve and reduce domestic violence in Oklahoma.
8. Obtain records and reports detailing a domestic violence fatality, including but not limited to:
  - a. Medical Examiner=s report;
  - b. Hospital and physician records;
  - c. Court records;
  - d. Prosecutorial records;

- e. Local, state and federal law enforcement records and reports, including but no limited to historical and repository information located with local law enforcement agencies and Oklahoma State Bureau of Investigation (OSBI);
  - f. Fire department records;
  - g. Emergency medical services records;
  - h. State Department of Health (OSDH) records, including birth certificate records;
  - i. Department of Mental Health and Substance Abuse Services (DMHSAS) records;
  - j. Medical and dental records;
  - k. Mental health service provider records;
  - l. Department of Human Services records and files.
9. Maintain all case-related information, documents and records in possession of the Board as confidential and not subject to subpoena or discovery in any civil or criminal proceedings;
10. Review domestic violence fatality cases for consistencies indicating systemic issues to be addressed.
11. Prepare and distribute a statistical report to covering the previous calendar year (Jan. 1 thru Dec. 31) of findings and recommendations for resolution of systemic issues not later than February 1 of each year to the Oklahoma Council on Violence Prevention , the President Pro Tempore of the Senate and the Speaker of the House of Representatives.
12. Subject to approval of the Oklahoma Council on Violence Prevention and the Oklahoma Criminal Justice Resource Center, exercise all incidental powers necessary and proper for the implementation of legislation and statutes authorizing these activities;
13. Prepare and make available to the public, on an annual basis, a report containing a summary of activities of the Board relating to the review of domestic violence fatalities, the extent to which the various state systems are coordinated, and an evaluation of whether the state is efficiently discharging its domestic violence resolution and reduction responsibilities.

## **Article V      Members**

The Oklahoma Domestic Violence Fatality Review Board shall consist of seven (7) members enumerated in Title 22, Section 1602A1 and nine (9) members appointed by the Commissioner of Mental Health and Substance Abuse Services as identified in Title 22, Section 1602A2.

Members enumerated in statute may appoint a designee who shall represent the member in the member=s absence. The designee shall represent the same group and organization from which the member was selected. Members and their designees are invited and encouraged to attend all meetings. Such designation shall be made in writing to the Chair at the administrative offices within the Oklahoma Criminal Justice Resource Center.

All members and designees shall execute a Memorandum For Record, Subject: Confidentiality, agreeing to abide by the requirements of Title 43A, Oklahoma Statutes, Sections 1 – 109 and CFR 42, Sections 2.1 through 2.67. The memorandum must be signed prior to access of any confidential materials or information in the safekeeping of the Board.

The Oklahoma Criminal Justice Resource Center shall provide staff to the Board to conduct administrative tasks and other duties necessary to the operation of the Board. These staff members shall be ex-officio members of the Board.

## **Article VI Officers**

The officers of the Board shall be a Chair and Vice Chair to succeed the Chairmanship. These officers shall perform duties prescribed by these bylaws and by the parliamentary authority adopted by the Board. Officers shall be elected biannually in July to serve for two (2) years or until their successors are elected.

## **Article VII Meetings**

1. The review and discussion of individual cases of domestic violence fatalities shall be conducted in executive session and in compliance with the confidentiality requirements of Title 10 OS ' 7005-1.2.
2. The Board shall meet at least quarterly at a time and place to be designated by either (1) action of the Board or (2) call of the chair.
3. Special meetings may be called by the Chair or upon written request by five (5) or more members.
4. A majority of the members of the Board shall constitute a quorum for the transaction of any and all business.
5. In the event any member is unable to attend a meeting of the Board, a designee may attend given prior notification to the Chair.
6. In the event any member or members appointed designee shall be absent for two or more consecutive meetings:
  - a. The Chair, or individual designated by the Chair shall notify the member that a third consecutive absence could result in notification and action outlined in subsection (b).

- b. The Chair, or individual designated by the Chair shall notify the Commissioner of Mental Health and Substance Abuse Services and recommend the Commissioner take action deemed appropriate.
7. All members shall have one vote. A designee may vote in the member=s absence. All members present shall vote to pass a motion, except as otherwise provided in the bylaws.
8. Ex-officio staff members shall not vote.

### **Article VIII Committees**

1. An Executive Committee shall consist of the Chair and/or Vice Chair and four (4) members appointed by the Chair of the Board. The previous chair shall serve as an ex-officio member of the Executive Committee. The Executive Committee shall act in an advisory capacity and shall perform such functions as designated by the Board.
2. The Chair shall appoint such committees, standing or special, as the Board shall deem necessary to carry on the work of the Board. The Chair shall be an ex-officio member of all committees.

### **Article IX Parliamentary Authority**

The rules contained in the current edition of Robert=s Rules of Order, Newly Revised shall govern in all cases where they are applicable and in which they are not inconsistent with these bylaws and any rules the Board may adopt. Except as specifically exempted by statute, the board meetings and activities fall within the purview of the Oklahoma Open Meetings Act.

The Board may receive, review and discuss, in executive session, information on individual domestic violence fatality investigations and prosecutions. The Board shall comply with confidentiality requirements of '7102-7015, Title 10, O.S.; otherwise, the Board shall comply with the Oklahoma Open meetings Act, '301 et seq., Title 25, O.S.

### **Article X Amendment of Bylaws**

These bylaws may be amended at any regular meeting of the Board by a two-thirds vote of the members present, provided that the amendment has been submitted in writing at the previous regular meeting.

### **APPROVED:**

Oklahoma Domestic Violence Fatality Review Board on the 26<sup>th</sup> day of September, 2001.