

Sexual Assault Forensic Evidence (SAFE) Board

State of Oklahoma

MEETING MINUTES

prepared by Laura Russell

Regular Meeting

Thursday, May 22, 2025 at 2:00 p.m.

Office of the Oklahoma Attorney General

313 NE 21st, Oklahoma City, OK 73105

BOARD

VOTING MEMBERS

<i>Standing Members [S]</i>	<i>Designee [D]</i>	<i>Alternate Designee(s) [AD]</i>
<i>Gentner Drummond (OAG)</i>	<i>Danielle Tudor (Special Designee with vote)</i>	<i>Karen Cunningham Susan Laib Sara Wray</i>
<i>Greg Mashburn (OSBI)</i>	<i>Mistie Burris</i>	<i>Jenny Virden</i>
<i>Ron Bacy (OCPD)</i>	<i>Bill Weaver</i>	<i>Jason Samuel</i>
<i>Dennis Larsen (TPD)</i>	<i>Darin Ehrenrich</i>	<i>N/A</i>
<i>Kathryn Brewer (DAC)</i>	<i>Ryan Stephenson</i>	<i>N/A</i>
<i>Shelley Miller (NAAV)</i>	<i>Sonya Spray</i>	<i>N/A</i>
<i>Marcus Williams (CLEET)</i>	<i>Todd Bussell</i>	<i>N/A</i>

Appointees [AP]

<i>Linda Terrell (Survivor)</i>
<i>Mikela Rhodes (Advocate – YWCA OKC)</i>
<i>Amanda Lilley (Public Defender – OIDS)</i>
<i>Billy Parker (Police Chief – Woodward)</i>
<i>Kyle Keller (County Sheriff – Canadian County)</i>
<i>Kasey Magness (SANE)</i>

NON-VOTING MEMBERS [N]

<i>Carrie Hicks (Senate)</i>
<i>Julie Daniels (Senate)</i>
<i>(House) - Vacant</i>
<i>(House) - Vacant</i>

I. Call to Order: Meeting called to order by Linda Terrell at 2:00 p.m.

A. Roll Call

- 1. Voting Members Present:** Linda Terrell, Amanda Lilley, Bill Weaver, Danielle Tudor, Darin Ehrenrich, Kasey Magness, Mikela Rhodes, Mistie

Burris, and Ryan Stephenson

2. **Non-Voting Members Present:** Karen Cunningham and Sara Wray
3. **Members Absent:** Kyle Keller, Billy Parker, Marcus Williams, and Shelley Miller
4. **Guests Present:** Macey Whitehouse, Laura Russell, Anthony Rivera – Hernandez, and Gary Tudor

B. Establishment of Quorum: Linda Terrell confirmed quorum established.

1. **Required:** 7 Voting Members
2. **Met:** 9 Voting Members

C. Assurance of Compliance with Open Meeting Act: Linda Terrell confirmed OMA compliance. Sara Wray announced that the meeting agenda posted at the principal office of the Oklahoma Attorney General's Office on May 13, 2025 at 11:32 a.m. Agenda posted on the OAG's website on May 13, 2025 at 11:49 a.m.

II. Call to Order: Discussion and Possible Action on Approval of Board's Thursday, March 27, 2025 Special Meeting Minutes

- Bill Weaver motioned to approve the meeting minutes as written. Mistie Burris seconded the motion. Motion carried unanimously by roll call vote.

III. Overview of Board-relevant Bills for Legislative Session

A. Macey Whitehouse presented on Board-relevant bills for this legislative session.

- H.B. 2705 – became law without signature
- S.B. 599 – on the governor's desk; if not signed by 5/24/25, it goes into effect
- H.B. 1935 – became law without signature
- H.B. 1003 – on the governor's desk; if not signed by 5/24/25, it becomes law
- H.B. 1676 – was not heard on the senate floor so it died

B. Ryan Stephenson discussed S.B. 553, an education bill sponsored by the DAC

IV. Guest Presentation by Tulsa County DA Steve Kunzweiler: *Possible Legislation to Implement Mandatory/Minimum Sentencing for Sex Offenders Convicted of a Felony Crime*

A. Due to a family emergency, Steve Kunzweiler was unable to attend the meeting. He is willing to present at a later date.

V. "Terms of Art" Presentation by Board Members Linda Terrell and Mikela Rhodes: *Learning from survivors and victim advocates about the importance and impact of language and terms used in the field.*

- A. Linda Terrell and Mikela Rhodes presented “Terms of Art” to include trauma-informed language and approaches. Terms addressed:
- “Uncooperative” – Negative connotation placing blame on victim and may not capture what is happening. Instead, use “declined to participate,” “did not respond,” or “chose not to engage at this time.”
 - “Why” – Can shift blame that victim internalizes as having not “done enough.” As in, when asked, “Why didn’t you fight back?” or “Why were you there?” Instead, use “Can you tell me what happened?” or “Would you be comfortable sharing more about what led up to that?”
 - Avoid euphemisms or “watering down” language. E.g., using “sexual assault,” “misconduct,” or “abuse” when referring to rape.
 - “Performed” – verb has connotation of consent, willing participation in reference victims. Instead, use, “Was subjected to,” “was forced to engage in,” or “was raped by.”
 - “Refused” – Another negative connotation that oversimplifies victim choice and response. Use “declined” instead.
- B. Linda Terrell highlighted how federal executive orders and other changes are limiting the ability to provide trauma-informed support to victims and survivors. This includes making it impermissible to reference certain crime as “systemic” and prohibits sexual assault programs from engaging in “out-of-scope” activities, limiting comprehensive advocacy and support. She emphasizes that language is important. Culturally competent care is being limited. Mandates around law enforcement collaboration is concerning, as it should not be required for victims. She states that politicalized language is eroding survivor-centered care.

VI. Sexual Assault Kit Initiative Updates from OSBI, OCPD, and TPD

A. Tulsa SAKI Program:

1. Tulsa PD program updates by Lt. Darin Ehrenrich:
 - 2,155 kits analyzed in Tulsa
 - 150 kits sent out to vendor
 - 2,355 total tested or being tested
 - 1,960 kits on backlog
 - 721 DNA profiles obtained
 - 721 entered into CODIS
 - 219 CODIS hits

B. Oklahoma City SAKI Program:

1. Oklahoma City PD program updates by Bill Weaver
 - The stats are the same as the last report
 - 142 kits were sent for full analysis
 - 109 profiles were entered into CODIS
 - 59 CODIS hits

- 11 serial case hits – linked to another case
- 20 case-to-case hits
- 48 case-to-person hits

C. OSBI City SAKI Program:

2. OSBI program updates by Mistie Burris:

- 2,670 kits analyzed
- 625 remaining on backlog
- 889 profiles uploaded into CODIS
- 437 CODIS hits
- 63 case-by-case hits
- 374 hits with two offenders
- 91 serial cases

3. It was suggested to add “serial rapists” category to the list of stats to be provided to the Board. Board members agreed that they do want those stats.
4. Jenny Virden mentioned that the recent OSBI Symposium was very successful. There were 30 information booths with around 300 attendees. Plan on doing it next year in the OKC area. Have been at the New Chiefs’ Conference to go over the SAKI process and purpose. This is held twice a year. They just got back from class training in Idabel. Virden notes that it is important to get out to the rural areas since they get limited training. At these meetings they try to have the district attorney open the meetings. They also try to have the chief or sheriff, as well as a representative from an advocacy agency. They went to Idabel due to a rise in sexual assaults due to the rise of Hochatown. Virden notes that a possible legislative subcommittee issue is the release of vital records for genetic genealogy purposes to other state SAKI agencies such as Texas. They work with Texas a lot and out-of-state agencies have difficulty getting these records. This may require some changes to statutory language to aid in these requests. The citation is O.S. Tit. 63, Section 1.323. This will be revisited on the legislative subcommittee item IX.

VII. Update and Discussion on Statewide SANE Program

- A. Kasey Magness – State protocol is in its final revisions. To date, there are 36 programs, and 13 nurses have been trained since January. Trainings were held in Miami, Lawton, Shawnee, Hooker, Okmulgee, and Guymon. Grant will end in September for the State-wide SANE Coordinator and telehealth. Those two positions will end in September; an extension has been filed, but they haven’t heard back. H.B. 1676, which would have made funding available through the DAC, wasn’t heard on the senate floor and died. It is in the law to have those two positions, but those positions weren’t funded.

Will work on this on the next legislative session. Kasey has reached out to two senators to find out why it wasn't heard but she hasn't heard back.

VIII. Update, Discussion, and Possible Action on Safe Board *Statistics and Processes Subcommittee* by Mistie Burris

A. The subcommittee met twice.

B. The subcommittee would like to request additional information from OSBI regarding their Oklahoma stats. They would like to request:

Total number of incident reports by law enforcement in 2024 (by county)

- Rape
- Sodomy
- Sexual Assault with an object
- Fondling
- Incest
- Statutory Rape
- Peeping Tom
- Indecent Exposure

They would also like the following information for each incident:

- DOB/Age Victim
- Sex of the Victim
- Ethnicity of the victim
- Relationship of the victim to the offender
- Type of injury sustained by the victim
- Type of weapon or force used during the incident
- Location type
- DOB/Age of the offender
- Sex of the offender
- Race of the offender

C. The subcommittee wants to request the following from the OSBI-Sexual Assault Tracking System:

- Total number of SANE kits collected by the county
- Number of non-reported vs reported sexual assault kits
- Number of reported SANE kits collected in 2024 that were not submitted to a forensic laboratory within 20 days
- Number of reported SANE kits collected in 2024 that were not submitted to a forensic laboratory within 60 days
- Number of SANE nurses/programs in Oklahoma by County

D. The subcommittee wants to request the following from the Forensic Labs:
For the past five calendar years (2019-2024)

- Number of pending sexual assault cases as of the end of the year
- Average days open for sexual assault cases as of end of the year

- Number of sexual assault cases closed during each calendar year
- Turnaround time of sexual assault cases closed during the calendar year

E. The subcommittee wants to request the following for CY 2024, by county, from the District Attorneys Council:

- How many sexual assault cases were presented to a prosecuting attorney for a charging decision
- How many sexual assault cases were declined for prosecution/elected to not move forward
- How many were declined for each reason listed below
 - Victim declined to participate/requested no criminal charges be filed
 - Does not meet probable cause requirements
 - Other, please explain

F. The subcommittee wants to request the following for CY 2024, by county from the Administrative Offices of the Court:

- How many sexual assault cases were charges filed?
- How many sexual assault cases were dismissed?
- How many sexual assault cases ended with a conviction following trial?
- How many sexual assault cases resulted in a plea agreement?
- How many sexual assault cases resulted in a plea agreement in which the offender did not have to register as a sex offender?
- How many sexual assault cases ended with an acquittal?
- How many sexual assault cases ended in a mistrial?
- How many sexual assault cases were still pending trial at the end of 2024?
- Sexual Assault Cases include the following:
 - First Degree Rape: 21-1111A
 - Second Degree Rape: 21-1111B
 - Rape by Instrumentation: 21-1111.1
 - Forcible Sodomy: 21-888
 - Lewd Molestation of a Minor: 21-1123
 - Sexual Battery: 21-1123.B
 - Sexual Abuse of a Child: 21-843.5E
 - 1. Incest: 21-885
 - Indecent Exposure: 21-1021
 - Peeping Tom: 21-1171

G. A motion was made by Amanda Lilley and seconded by Kasey Magness to request CY 2024 data to go into the Board's Annual Report to satisfy the needs of this subcommittee. Motion passed unanimously by roll call vote.

H. Sara Wray presented a draft letter to be sent to the above agencies with a

soft deadline which would be signed by the Board Chair and hopefully by the Attorney General. The letter would include information about the Board and the Board's purpose.

- I. A motion was made by Mikela Rhodes and seconded by Darin Ehrenrich to utilize this letter with hopefully both signatures, recognizing it needs to go through a process. The motion passed unanimously.
- J. In the future, the subcommittee would like to:
 - Collect number of cases that are closed by law enforcement and not presented to a prosecutor and reasons
 - Gather information on repeat offenders or repeat victimization
 - Include federal or tribal information
 - Income level of either individuals involved or location
 - Data on use of victim advocates services
 - Inquire as to lack of staff/resources (law enforcement, prosecutors, lab, victim advocate) and how does this affect prosecution, investigation, and advocacy
 - Juvenile suspects charged as adults

IX. Update, Discussion, and Possible Action on SAFE Board *Recommendations and Evaluations Subcommittee* by Danielle Tudor

- A. The subcommittee met once since the last meeting with a good group discussion.
- B. S.B. 1329, the Peeping Tom bill was one of the topics of discussion; it addresses not requiring Peeping Toms to register as sex offenders.
 - Oklahoma is in compliance with SORNA/Adam Walsh Act. The committee will reach out regarding S.B. 1329 and compliance.
 - Darin Ehrenrich reviewed several cases in Tulsa, many involving recording victims in restrooms and dressing rooms.
 - These cases are sexually motivated crimes
 - This bill died last legislative session so would need to be brought up for the next session.
- C. Minimum/mandatory sentencing using Oregon as a reference.
 - Recent case discussed wherein jury convicted a man for two felony counts of child sex abuse and recommended 20 years for each conviction, but the judge gave parole and no jail time.
 - This topic will be discussed by Steve Kunzweiler at a future meeting.
- D. VPO legislation requires that victim of a sex offense or stalking that do not meet relationship requirements file a police report to get a final order, but it is often interpreted that a police report is required just to file a petition.

- Many victims don't want to get involved in the criminal justice process, which keeps them from having protection that a final VPO affords.
- Inconsistency inside statute – statute states that court may not require the victim to seek legal sanctions against the defendant in regards to divorce, separation, or criminal proceedings; therefore, requiring a police report may violate the statute.
- It is recommended that statutory language be changed so police report not required.
- DV VPOs and other POs are treated differently. Many provisions only specific to DV victims.
 - Texas Code has model language to use as a template

E. A motion was made by Amanda Lilley and seconded by Mikela Rhodes to have the subcommittee pursue having the VPO language revised to be a more even playing field for all crime victims. Motion passed unanimously by roll call vote.

F. A motion was made by Darin Ehrenrich and seconded by Ryan Stephenson to have the subcommittee revive S.B. 1329 and revise the language. Motion passed unanimously by roll call vote.

G. A motion was made by Darin Ehrenrich and seconded by Danielle Tudor to have the subcommittee investigate the vital statistic records statute amendment to allow easier access to share the records with out of state agencies and other jurisdictions. Motion passed unanimously by roll call vote.

X. Update, Discussion, and Possible Action on SAFE Board *Case Review Subcommittee* by Jenny Virden

- A. The subcommittee met twice and has discussed sexual assault cases for the first sexual assault case review at the August Meeting
- The case will most likely be an OCPD case where there was a CODIS hit but charges were declined.
 - Due to time constraints, only one case will be reviewed at the August meeting.
 - Committee members assignments have been made as to which member is collecting the information which includes law enforcement reports, the DA information regarding charge decision making, medical/SANE information, history of the victim and suspect, background checks, and record searches. The information will be compiled for each board member. All board members will review the same information and the same case and discuss how it feeds into other trends, what were the failures, and what worked well.

- A future case to be reviewed is a SAKI case from Comanche County, and cases where federal statutes aren't as stringent as OK statutes so those cases fall through the cracks.

B. Amanda Lilley & Sara Wray brought the issue of victim approval and confidentiality. Board members will be required to sign a confidentiality agreement and the case would be reviewed in executive session. At a later date, the board may want to reach out to victims to see if they wanted to participate on the case reviews.

C. Sara Wray presented a template letter to be sent to the appropriate agencies asking for the information needed for the case study. It would be signed by the Board Chair and hopefully the Attorney General.

D. A motion was made by Amanda Lilley and seconded by Mistie Burris to send this letter. The motion passed unanimously by roll call vote.

XI. Discussion and Possible Action on Assigning Legislator Members to Subcommittees

A. Linda Terrell mentioned that since there were no legislators at the meeting, this should be tabled.

XII. Discussion and Possible Action on Vacant Board Members

A. Linda Terrell mentioned that since currently there are no legislators present, this should be tabled.

B. Sara will work on setting up meetings between the Board and legislators.

C. Bill Weaver made a motion, seconded by Mikela Rhodes, to table items XI and XII until a future meeting. Motion passed unanimously by roll call vote.

XIII. Update, Discussion, and Possible SAFE Board Annual Reports by Sara Wray

A. Sara presented the Board website page designed by Cory Ingram. Reports, history, Board minutes, and agendas posted there. Sara mentions possibly including Board member bios and pictures in annual report. The Board agreed to include bios and pictures for consistency. A thank you note to Cory for his work on the website was passed around for signatures.

XIV. Discussion and Possible Action on Inviting Guest Presenters to Address SAFE-related Topics, Concerns, or Legislative Suggestions

A. With the case study taking 30 – 45 minutes, it was decided to not have D.A.

Steve Kunzweiler present at the August meeting but at a later meeting.

XV. Discussion and Possible Action on Next Meeting's "Terms of Art" Presentation

- A. It was suggested that for future "Terms of Art" presentations that the presenters present the Board members with the presentation before the meeting so all of it doesn't need to be read aloud; this will save time.
- B. Ryan Stephenson agreed to present on the topic "How a bill becomes a law in Oklahoma."

XVI. New Business

- A. None at this time

XVII. Announcements

- A. Linda Terrell announced that the remainder of the meetings for this year would be held at the State Capitol, Room 100.

XVIII. Adjournment

- A. A motion to adjourn was made by Amanda Lilley and seconded by Bill Weaver. Linda Terrell adjourned the meeting at 4:20 p.m.

*Next SAFE Board Meeting: August 21, 2025 at 2 p.m.
Oklahoma State Capitol, 2300 N. Lincoln Blvd., Oklahoma City, OK 73105
Room 100*