Mary Fallin
Governor

FILED

OCT 12 2017

OKLAHOMA SECRETARY
OF STATE

EXECUTIVE DEPARTMENT
AMENDED EXECUTIVE ORDER 2017-11

I, Mary Fallin, Governor of the State of Oklahoma, pursuant to the power and authority vested in me by Sections 1 and 2 of Article VI of the Oklahoma Constitution and by Subsection D of Section 840-2.14 of the Oklahoma Statutes hereby order the formation of the Oklahoma Task Force on Sexual Assault Forensic Evidence (Task Force).

The Task Force shall:

1. Examine the process for gathering and analyzing sexual assault forensic evidence kits in the State;
2. Identify the number of untested evidence collection kits in the possession of each law enforcement agency in the State by means of an audit conducted by each agency;
3. Identify possible improvements for law enforcement training on responding to and investigating sexual assaults;
4. Identify possible improvements for victim access to evidence other than sexual assault forensic evidence kits, including but not limited to police reports and other physical evidence;
5. Identify possible procedures for the testing of anonymous sexual assault evidence kits;
6. Identify additional rights of victims concerning the sexual assault forensic evidence kits testing process; and
7. Identify and pursue grants and other funding sources in to order to eliminate the backlog of untested sexual assault forensic evidence kits, reduce testing wait times, provide victim notification, and improve efficiencies in the kit testing process.

The Governor, or designee, shall serve as the Chairperson of the Task Force. The members of the Task Force shall be appointed by and serve at the pleasure of the Governor, and shall include: the Chief of the Attorney General's Victim Services Unit, or designee; one survivor of sexual assault with experience with sexual assault forensic evidence kit collection; a

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sexual assault nurse examiner; a person designated by the Director of the Oklahoma State Bureau of Investigation who has expertise in the analysis of sexual assault forensic evidence kits; a person with experience seeking and applying for grants and other private funding; two nonvoting members from among the members of the Senate, of which may not be from the same political party; two nonvoting members from among the members of the House of Representatives, of which may not be from the same political party; the Executive Director of the Oklahoma Sheriffs' Association, or designee; the Chief of the Oklahoma City Police Department, or designee; the Chief of the Tulsa Police Department, or designee; the Executive Director of the Oklahoma Association of Chiefs of Police, or designee; an attorney from a Public Defenders office with criminal defense experience; a sexual assault victims' advocate from a community-based organization; the Executive Coordinator of the Oklahoma District Attorneys Council, or designee; and the Executive Director of the Native Alliance Against Violence, or designee.

The Task Force shall meet at such times and places as the Chairperson deems appropriate. Members shall serve without compensation or travel reimbursement. Administrative support for the Task Force, including personnel necessary to ensure the proper performance of its duties and responsibilities, shall be provided by the Senate. A quorum of the Task Force shall be required to approve any final action of the Task Force. Seven (7) members will constitute quorum.

No later than December 30, 2017, each law enforcement agency shall submit to the Attorney General and the Task Force a written report stating the results of the audit conducted by the agency and including the number of untested evidence collection kits in the possession of that law enforcement agency. Before, during, and after the statewide audit, any and all sexual assault forensic evidence kits currently in the possession of any law enforcement agency are to be preserved until such time that the audit is concluded and the law enforcement agency is informed in writing by the Task Force that evidence kits may be disposed of.

As a function of the audit required by the Task Force, every agency charged with the maintenance, storage, or preservation of untested sexual assault forensic evidence kits shall inventory all untested kits and identify the following: the unique identifier for the kit; the date the crime occurred; and the date of the examination and forensic collection. The agency may, but is not required to, disclose the reasons for not submitting the collected kit to the laboratory for analysis.

The Task Force shall prepare and submit a report of its findings and recommendations based on the results of the audits conducted by each law enforcement agency to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives no later than July 1, 2018.

This Executive Order shall be distributed to the Secretary of State and each Task Force member.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this the 12th day of October, 2017.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

MARY FALLIN

ATTEST:

DAVE LOPEZ, SECRETARY OF STATE