



VICTIM
PROTECTIVE
ORDER
INTERIM
STUDY
2025

WHO AM I?

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CURRENT PROTECTIVE ORDER LANGUAGE

- ☐ 22 O.S. 60.17
- ☐ Plain Language
 - ☐ Court “may” order the following:
 - ☐ Real time 24 hour GPS monitoring device for such term as the court deems necessary
 - ☐ Upon application of the victim, the Court “may” authorize the victim to view the location of the defendant.
 - ☐ Monitoring limited to within a specified distance of victim
 - ☐ Excludes residence and work of defendant
 - ☐ Requires an annual review by the court to determine if still necessary



CURRENT PROTECTIVE ORDER LANGUAGE

☐ 22 O.S. 60.17

☐ Before GPS ordered, Court SHALL find the following

☐ That defendant has history of that demonstrates an intent to commit violence against the victim, including, but not limited to:

☐ Prior conviction for an offense under the Protection from Domestic Abuse Act or any other violent offense

☐ OR

☐ Any other evidence that shows by a preponderance of the evidence that the defendant is likely to commit violence against the victim.



CURRENT PROTECTIVE ORDER LANGUAGE

☐ Protection from Domestic Abuse Act

☐ 22 O.S. 60.1-60.2

☐ <https://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=70255>

☐ Violent Crime List

☐ 57 O.S. 571

☐ <https://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=549622>



PROBLEMS WITH CURRENT STATUTE

- ❑ Use of the word prior “conviction”
 - ❑ Would not include pleas of guilty (or people who are on deferred probation)
- ❑ The use of the word “violence”
- ❑ ENFORCEMENT AND WHO MONITORS?
 - ❑ Zero authority for how this occurs and who monitors
- ❑ Differs from 22 O.S. 60.6(I)
 - ❑ These offenders are placed on probation under supervision of a supervising agency, either DOC probation and parole or private supervision company (mostly for misdemeanors)



SOLUTIONS

☐ ONE MORE THING

- ☐ Small change to require offender
- ☐ Make necessary a form to be filed
- firearms to local law enforcement
- ☐ Checks and balances

☐ 15) Pursuant to 22 O.S. §60.4, paragraph J, the Court finds that in order for Petitioner to maintain certain household utilities and/or wireless telephone number (including wireless numbers for minor children) a **SEPARATE ORDER will issue directing the following utility and/or wireless telephone providers to transfer rights and billing responsibility to Petitioner.**

☐ 16) Defendant shall immediately surrender all firearms and other dangerous weapons within the Defendant's possession or control and any concealed carry license to

☐ 17) The Defendant is ordered to pay the court costs and service of process fees immediately or per payment plan if separately ordered.

☐ 18) The Defendant is ordered to pay the protected person's attorney's fees in the amount of \$_____.

☐ 19) The court costs and fees are waived upon a finding that the Defendant does not have an ability to pay.

☐ 20) IT IS FURTHER ORDERED:



SOLUTIONS

- ❑ Change “conviction” wording so that it includes on probation/plea of guilty similar to DUI statutes, DV statutes, and Violation of Protective Order statutes
- ❑ Removal of the word “violence” possibly change to mirror that this monitoring is necessary to protect the victim from a crime outlined in Protection from Domestic Violence Act
- ❑ Clear language about which agency/entity enforces the monitoring
- ❑ ONE MORE THING
 - ❑ Small change to require offenders who are ordered to give up firearms
 - ❑ Make necessary a form to be filed in the PO filing that they have given these firearms to local law enforcement
 - ❑ Checks and balances



QUESTIONS/COMMENTS/CONCERNS?

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CONTINUOUS PROTECTIVE ORDERS

22 O.S. § 60.4

- ☐ Continuous Protective Order –can be continuous upon specific findings by the Court of one of the following:
 - ☐ (1) person has a history of violating the orders of any court or government entity
 - ☐ (2) the person has previously been convicted of a violent felony offense
 - ☐ (3) the person has a previous felony conviction for stalking
 - ☐ (4) a court order for a final Victim Protective Order has previously been issued against the person in this state or another state, or
 - ☐ (5) the victim provides proof that a continuous protective order is necessary for his or her protection

