

1921 Graves

Re-interment Plan Proposal

January 28, 2021



Purpose of Discussion

- + Develop consensus on a plan for disinterment and re-interment that allows the next phase of work at Oaklawn Cemetery to proceed **this summer**.

Constraints

- + A plan for re-interment is required prior to exhuming any remains;
- + A **Notice of Disinterment** must be filed with Oklahoma State Department of Health if re-interment will be in the **same cemetery**;
- + A **Disinterment Permit** must be applied for and granted by OSDH if re-interment will be in a **different cemetery**.

Authority

- + 63 O.S. §1-319(C) requires the consent of next of kin to submit a Notice of Disinterment/Re-interment or a Request for Disinterment Permit.
- + The remains at Oaklawn are currently unidentified, so we are unable to establish their legal representatives, descendants, or legal guardians.

Authority (cont.)

- + If the decedent was a person the final disposition of whose body is the financial responsibility of the state or a political subdivision of the state, the public office or employee responsible for arranging the final disposition of remains of the decedent may grant consent. See 21 O.S. §1158(9).
- + Accordingly, the City of Tulsa meets the statutory requirement to provide consent for a Notice of Disinterment/Re-interment or a Request for Disinterment Permit.

Instructions:

If you are disinterring and re-interring in the same cemetery, complete the Notice. The Notice must be completed and submitted to the State Registrar of Oklahoma within five (5) days of such action.

If you are disinterring and re-interring to a different cemetery or for the purpose of cremation, complete the Request. Submit the completed Request to the State Registrar of Oklahoma prior to the disinterment.

Oklahoma State Department of Health
Notice of Disinterment/Re-interment

Date disinterment was completed:
/ / 20__

NOTICE (Same cemetery only)	Name of Deceased (First, Middle, Last):			Date of Birth :	
	Place of Death (city, county, state):			Date of Death:	
	Place of Burial	Cemetery Name :	Cemetery City:		
	Disinterment to be done by:	Funeral Director Name (print/type)		License Number	Telephone Number
		Name of Funeral Home:		Funeral Home City & State	
	<i>63 O.S. 2011, Section 1-319 C. The consent of the next of kin shall be completed by the next of kin in order of priority as established in Section 1158 of Title 21 of the Oklahoma Statutes.</i>				
	Next-of-Kin Name (print/type):		Relationship (check box) <input type="checkbox"/> 1. Legal Representative <input type="checkbox"/> 2. Spouse <input type="checkbox"/> 3. Adult child <input type="checkbox"/> 4. Parent <input type="checkbox"/> 5. Adult Sibling <input type="checkbox"/> 6. Guardian <input type="checkbox"/> 7. Other: _____		
Signature of Next-of-Kin:		Signature of Funeral Director:			

	OFFICIAL USE ONLY:		
	Date received: _____	Date filed: _____	State File Number: _____

Oklahoma State Department of Health
Request for Disinterment Permit

REQUEST (New place of burial or cremation)	Name of Deceased (First, Middle, Last):			Date of Birth :	
	Place of Death (city, county, state):			Date of Death:	
	Current Place of Burial	Cemetery Name :	Cemetery City:		
	New Place of Burial: <input type="checkbox"/> Cremation	Cemetery Name:	Cemetery City & State:		
	Disinterment to be done by:	Funeral Director Name (print/type)		License Number	Telephone Number
		Name of Funeral Home:		Funeral Home Address: (street, city, state)	
	<i>63 O.S. 2011, Section 1-319 C. The consent of the next of kin shall be completed by the next of kin in order of priority as established in Section 1158 of Title 21 of the Oklahoma Statutes.</i>				
Next-of-Kin Name (print/type):		Relationship (check box) <input type="checkbox"/> 1. Legal Representative <input type="checkbox"/> 2. Spouse <input type="checkbox"/> 3. Adult child <input type="checkbox"/> 4. Parent <input type="checkbox"/> 5. Adult Sibling <input type="checkbox"/> 6. Guardian <input type="checkbox"/> 6. Other: _____			
Signature of Next-of-Kin:		Signature of Funeral Director:			

State	Pursuant to the regulation of the State Board of Health, adopted under authority of 63 O.S. 2011 § 1-319B, permission is hereby given to disinter, remove and reinter as set forth in the application.	
	State Registrar Signature:	Date Signed:

	OFFICIAL USE ONLY:		
	Date received: _____	Date filed: _____	State File Number: _____

Making a false statement or knowingly concealing a material fact or otherwise committing fraud in an application for a disinterment permit is unlawful and shall constitute a misdemeanor for a first offense and, upon conviction, shall be punishable by a fine not exceeding Ten Thousand Dollars (\$10,000.00). Any second or subsequent offense shall constitute a felony and, upon conviction, shall be punishable by a fine of up to Ten Thousand Dollars (\$10,000.00) or imprisonment in the custody of the Department of Corrections for a term of not more than two (2) years, or both. [63 O.S. 1-324.2]

Scenarios

1) Forensic analysis is inconclusive or indicates individuals are not victims of the Tulsa Race Massacre

Exhume
Analyze

Re-interment at Oaklawn Cemetery

Memorialize search with descriptive plaque or monument at Oaklawn Cemetery

2) Forensic analysis indicates individuals are victims of the Tulsa Race Massacre (Original 18 and/or others)

Exhume
Analyze
DNA samples taken

Place bodies in storage pending potential identification of next of kin through DNA analysis and genealogy (could take years)

-OR-

Re-interment at Oaklawn; Next of kin, if found through DNA, could obtain re-interment permit to move in the future

Memorialize those who were found and those who remain missing at Oaklawn, looking to Tomb of the Unknown Soldier and memorials for Holocaust victims as examples

Proposal

- + File a Notice of Disinterment/Re-interment
 - Both disinterment and re-interment to take place in Oaklawn Cemetery
 - City of Tulsa will exercise authority under 21 O.S. §1158(9) to satisfy requirement for consent of the next of kin
 - Physical Investigation Committee will continue planning and preparation for excavation at Oaklawn Cemetery this summer, including procurement of additional archeological services and funeral director services
 - Public Oversight Committee to discuss memorial at February meeting

Thank You

