



**TIM HARRIS
TULSA COUNTY
DISTRICT
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**Justice
cannot be
for one side
alone,
but must be
for both.
- Eleanor
Roosevelt**

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In Pursuit of Justice

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FALL 2011

Three Men Convicted, Sent to Prison For Murder, Robbery of Family "Rock" Bud Stoddard

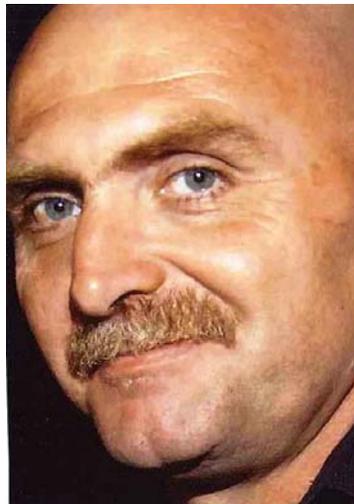
Bud Stoddard always worked long hours to take care of his family, even while growing up as a country boy in mid-state New York. When his parents divorced, he began working as a farmhand at the age of 12 to help support his mother and five siblings. One day he didn't come home from the farm on time, and when his mother went to look for him, she found him asleep on the side of the road. "That's when I told him he couldn't work that much, he'd have to cut back," said Peggy Stoddard.

In 1981, most of the family moved to Tulsa in search of oil-related jobs, and got here just in time for the oil bust. But Bud knew how to work hard, and he found a job – in fact, two of them. Twenty-nine years later, at age 50, Bud was still working two jobs in Tulsa. A machinist by day, he also worked nights at a restaurant to provide for his family. He helped raised eight children: his daughter, three stepsons with wife Carol, and a sister's four children. He had nine grandchildren.

He was closing up at his second job at Rib Crib Restaurant on May 20, 2010, when three masked men entered through a back door to rob the place. Stoddard was shot nine times and died.

Bud had spent his life preaching, but mostly modeling, the value of hard work and helping others to his own children and many other youths in Tulsa. He was 6 foot 2, and strong as an ox. But he was nicknamed "The Gentle Giant." Despite his work schedule, he found time to coach his kids – and others'. He ran taxi service for practice and games, and often paid for team members' uniforms and fees.

Tausha Smothers is a niece, raised by Stoddard. She married the day after his funeral, a brother walking her down the aisle in place of the man she called Dad. "He wasn't only a dad; he was my coach, my mentor. He was always there when I needed him."



Howard "Bud" Stoddard, 50, was shot nine times and murdered during a May 2010 robbery at a Tulsa restaurant.

"His love and kindness and lessons taught will never be forgotten by his large 'family,' which included many community youth," she said.

"He coached everything," said Stoddard's mother. "Baseball, softball, football, wrestling, girls' basketball. And the kids all loved him. He always took kids on his teams that nobody else wanted. He taught the kids, 'If you do your best and you don't win, don't worry about it. But don't give up.'"

"There were a lot of kids he kept busy and kept out of trouble. If the kids were messin' up, he'd call them and say, 'Do I have to come over there and talk to you?'"

"Once, he told his team: 'If you win this game, I'll shave my head right here on the field. And they won and he did it! The kids were

all screamin' and hollerin'. And, do you know, at his funeral, all those kids and most all the males who came, showed up with their heads shaved just to honor him?" his mother said. "I'm not saying Bud was perfect. But he was the rock of our family."

ALL THREE GUNMEN WERE CONVICTED

In July, **ISAIAH PEEVY** was convicted by a jury of **FIRST-DEGREE FELONY MURDER** in the shooting death of Stoddard. The jury sentenced Peevy to **LIFE IN PRISON** for the murder and **75 YEARS IN PRISON** for convictions on 5 counts of **ROBBERY WITH FIREARMS**, one count of **ATTEMPTED ROBBERY** and one count of **SECOND-DEGREE BURGLARY**. **DEONTE MARSHALL** pled no contest to the **MURDER/ROBBERY** and was sentenced to **LIFE** plus **15 YEARS IN PRISON**. The sentence runs consecutively with a 15-year prison term imposed previously for another robbery. **D'ANDRE FINNIE** pled guilty in October to **SECOND-DEGREE MURDER** and four other felonies and was sentenced to **35 YEARS IN PRISON**. Finnie testified at Peevy's trial as a prosecution witness. Assistant District Attorney Julie Doss prosecuted.

Tulsa County DA Administrative Assistant Honored for Outstanding Service

The Oklahoma District Attorney's Association recently recognized a key member of the Tulsa County District Attorney's support staff for outstanding service to the office.

LYNN CULVER, administrative assistant to First Assistant DA Doug Drummond, was honored as 2011 Outstanding Secretary by the ODAA. Culver has served the Tulsa County District Attorney for 39 years. She was nominated for the honor by District Attorney Tim Harris.

Since 1972, she has served and assisted five District Attorneys, working for DAs Buddy Fallis, David Moss, Bill LaFortune, Chuck Richardson and Tim Harris. She has worked with nine First Assistant District Attorneys.

Surviving nearly four decades in the pressure cooker that is the Tulsa County DA's office speaks volumes about Lynn's dedication to the office. She is a steady, calm presence in the face of what can seem like chaos. Her professional expertise and



District Attorney Tim Harris and Administrative Assistant Lynn Culver at the Oklahoma District Attorneys Association annual meeting. Culver was honored for outstanding service.

institutional knowledge are a major asset for the office.

Culver is a quiet, unflappable assistant and also an emissary, diplomat, facilitator and pinch hitter who keeps the DA and ADAs on their toes and prepared for court. Whether she is lining up witnesses, preparing writs to bring defendants back to Tulsa, compiling trial notebooks, handling a call from a demanding citizen or news reporter, or planning an office recognition ceremony, Lynn never fails to deliver.

She brings order to confusing situations and always represents the office with integrity and professionalism.

"I feel so very fortunate to work in my position," Culver said. "It's the kind of job that is rewarding in a number of ways.

"There are many challenges as well as rewards, like being involved in high profile murder trials. You put in all this work for two years, and when it finally comes to trial, you can say, "I did my part."

Major Case Convictions July 2011

I**N JULY:** **JOSHUA DAVID SLINKARD** pled guilty to seven counts of **SEXUAL ABUSE OF A MINOR CHILD**, one count of **LEWD MOLESTATION** and **POSSESSION OF CHILD PORNOGRAPHY**. He was sentenced to a total of **30 YEARS IN PRISON**. He abused a child from the age of 8 to 10 years from January 2009 until November 2010. Assistant DA Sarah McAmis prosecuted.

CHARLIE NORIEGA pled guilty to **SECOND-DEGREE MURDER** in the June 2010 shooting death of Jason Crowder, 23, and was sentenced to **40 YEARS IN PRISON**. Crowder was shot after he went

to a home to visit another man. He collapsed in the street and died later at a hospital. Assistant DA Michael English said Noriega told police he was high on cocaine and didn't intend to kill Crowder. Noriega had **PRIOR FELONY CONVICTIONS** in Hughes and Okmulgee counties for **SECOND-DEGREE BURGLARY, CARRYING A WEAPON WITH UNLAWFUL INTENT, and ASSAULT AND BATTERY WITH A DANGEROUS WEAPON**.

AARON NITZEL pled guilty to eight counts of **SEXUAL ABUSE OF A MINOR CHILD** and was sentenced to **13 YEARS IN PRISON, 12 YEARS PROBATION**. He abused two **8-YEAR-OLD BOYS** over a period of 6 months in 2009. Assistant DA Kali Strain prosecuted.

SYLVIA JACKSON pled guilty to **CHILD NEGLECT** causing the death of **7-MONTH OLD RUBEN JACKSON** in July 2009. She slept too close to or on top of him on a couch and then failed to seek or obtain medical care after discovering blood on or around his face. She was sentenced to **2 YEARS IN PRISON, 5 YEARS PROBATION**. Assistant DA Nalani Ching prosecuted.



Register to receive custody status updates on offenders at www.vinelink.com or (877) 654-8463

Major Case Convictions August 2011

IN AUGUST:

ISAIAH PEEVY was convicted by a jury of **FIRST-DEGREE FELONY MURDER** in the May 2010 shooting death of **HOWARD "BUD" STODDARD, 50**. Stoddard was shot nine times in a robbery at a Rib Crib Restaurant in Tulsa. The jury sentenced Peevy to **LIFE IN PRISON** for the murder and **75 YEARS IN PRISON** for convictions on 5 counts of **ROBBERY WITH FIREARMS**, one count of **ATTEMPTED ROBBERY** and one count of **SECOND-DEGREE BURGLARY**. Three masked robbers entered the restaurant through a back door after closing hours. **DEONTE MARSHALL**, pled no contest to the murder/robbery and was sentenced to **LIFE plus 15 YEARS IN PRISON**. The sentence runs consecutively with a **15-YEAR PRISON TERM** imposed previously for another robbery. **D'ANDRE FINNIE** pled guilty in October to **SECOND-DEGREE MURDER** and **FOUR OTHER FELONIES** and was sentenced to **35 YEARS IN PRISON**. Finnie testified at Peevy's trial as a prosecution witness. Assistant DA Julie Doss prosecuted.

JOSEPH TRUSKOLASKI was convicted by a jury of **FIRST-DEGREE MANSLAUGHTER** in the June 2008 beating death of his common-law wife, **THERESA MONTIE, 41**. He was sentenced to **35 YEARS IN PRISON**. Montie was found beaten to death in a Tulsa motel room. Truskolaski told police he and Montie had a "small spat" a few hours before her death. He said he left the motel and returned to find her cold and breathing erratically. When police arrived, she was dead. The medical examiner's report described Montie as bruised from head to toe and ruled the cause of death as blunt trauma to the head. Co-workers said Montie often came to work as a waitress with black eyes. Friends and family in Michigan, where the couple lived before moving to Tulsa in 2008, also reported abuse of Montie by Truskolaski. She had spent some time in a domestic violence shelter before her death. The District Attorney charged Truskolaski with First-Degree Murder, but jurors opted to convict him of the lesser offense of First-Degree Manslaughter. Assistant DA Gary Davis II prosecuted.

WILLIAM HARLEY TOTTRESS and **RYAN K. SMITH** entered "blind" guilty pleas on the eve of trial and were sentenced to prison for a violent home invasion robbery in Tulsa's Maple Ridge neighborhood. Homeowner **STEPHEN RODOLF** said three masked men entered his home in June 2010



Theresa Montie, 41, was beaten to death in June 2008.

through a garage door he left open for out-of-town guests he was expecting after they attended a baseball game. District Attorney Tim Harris said evidence showed that Rodolf's friend, **CHRIS GENTILE**, was "pistol-whipped into submission" by Smith when Gentile tried to protect his 13-year-old son. Rodolf told the court in a victim impact statement that he is convinced that if Smith had had his way, "we would all be killed." He said Tottress was the leader who "gave orders to the other two."

TOTTRESS pled guilty to 13 felonies: three counts each of **ROBBERY WITH A FIREARM** and **KIDNAPPING**, two counts each of **CONCEALING STOLEN PROPERTY** and **POSSESSING A FIREARM AS A FELON**, and one count of **FIRST-DEGREE BURGLARY, ASSAULT AND BATTERY WITH A DANGEROUS WEAPON**, and **ASSAULT WHILE MASKED**. District Judge Tom Gillert sentenced him to **FIVE CONSECUTIVE PRISON TERMS** totaling **145 YEARS**. **SMITH** pled guilty to nine felonies - three counts each of **ROBBERY WITH A FIREARM** and **KIDNAPPING** and single counts of **FIRST-DEGREE BURGLARY, ASSAULT AND BATTERY WITH A DANGEROUS WEAPON** and **ASSAULT WHILE MASKED**. Judge Gillert sentenced him to a total of **45 YEARS IN PRISON**, and **20 YEARS PROBATION**. Tottress has previous convictions in state and federal courts for drug offenses and firearms charges. At a preliminary hearing, the DA's office dismissed all charges in the case against a third defendant, Byron L. Smith, for further investigation.

SEAN MARION was convicted by a jury of **CHILD ABUSE** and sentenced to **20 YEARS IN PRISON**. Marion had just moved in with the mother of a **5-MONTH OLD BABY** in August 2009 and was watching the child while the mother worked. The baby was shaken and suffered a brain injury and subdural bleeding. The child is blind and has had one eye removed and replaced with a prosthetic eye. She also suffers developmental delays from brain injury. Assistant DA Sarah McAmis prosecuted.

CHARLES LADD was convicted by a jury of **SECOND-DEGREE FELONY MURDER** of **BRIAN MOSS, 29**, who died as the result of a meth-lab fire. He was sentenced to **30 YEARS IN PRISON**. Moss was burned in an October 2009 fire at his Tulsa apartment. He died four months later on Feb. 19, 2010. Prosecutors maintained Ladd participated in cooking methamphetamine and that a fire resulted that burned Moss. Assistant DAs Stephanie Milburn and Stuart Ericson prosecuted.

DAMON GUNTER was convicted by a jury of **ENDEAVORING TO MANUFACTURE METHAMPHETAMINE**. The jury sentenced him to a total of **102 YEARS IN PRISON** on four counts. District Judge William Kellough later ordered two 50-Year terms run concurrently, resulting in a **52-YEAR PRISON** term. Gunter was cooking meth in a house in Sand Springs in March 2010. He had **FIVE PRIOR CONVICTIONS**. Assistant DAs John Salmon and Erik Grayless prosecuted.

FREDRICK MILES was convicted of **DELIVERY OF A CONTROLLED DRUG** in March 2010. After his conviction the jury was informed of three prior felony drug convictions and he was sentenced to **20 YEARS IN PRISON**. Assistant DAs Corey Tisdale and Nalani Ching prosecuted.

ESVIN LOPEZ pled guilty to **LEWD ACTS** in May 2011. He was peering into a bathroom stall in a lewd manner at Haikey Creek Park while a **9-YEAR-OLD GIRL** was using the bathroom. He was sentenced to **5 YEARS IN PRISON**, ordered to register as a sex offender, and placed on hold for Immigrations and Customs Enforcement. Assistant DA Kali Strain prosecuted.

See More Cases Page 6

Judges Cut Prison Terms for Killers, Child Predator

Tulsa County District Judges reduced prison sentences in October for two killers responsible for the deaths of four people, and injuries to six others in violent crashes – one fueled by rage, the other by alcohol and drugs. A prison term also was cut for a man convicted of sexually abusing two girls.

All three defendants avoided jury trials and a prosecutor's sentence recommendation by pleading "blind" to allow a judge to determine punishment. A year later, their sentences were modified and reduced.

In November, the prison term for **CLIFFORD EUGENE MOORE**, who pled no contest to **TWO COUNTS OF SEXUALLY ABUSING A CHILD** and one count of **FIRST-DEGREE RAPE** was reduced by District Judge Kurt Glassco for the second time. Moore was sentenced to 30 Years in Prison in July 2010 for sexually abusing two girls from the ages of 11 to 13 Years and 12 to 14 Years. One girl was raped. After the plea, Moore tried to withdraw it, claiming that the judge had indicated he would consider a 10-Year term if a background report revealed no criminal history. In November 2010, Judge Glassco reduced the sentence to 15 Years in Prison. Glassco reduced the sentence a second time to 13 Years in Prison and 2 Years Probation, over the objection of the District Attorney's office.

Judge Glassco also **CUT 5 YEARS** off the prison sentence of **ANDREW ALLEN MATHIS**, earlier sentenced to **LIFE IN PRISON PLUS 10 YEARS**. Mathis pled no contest to **TWO COUNTS OF FIRST-DEGREE MURDER** and **FIVE COUNTS OF ASSAULT AND BATTERY BY MEANS LIKELY TO PRODUCE DEATH**. The only other sentencing option under the law for the murder counts was **LIFE WITHOUT PAROLE**. Each of the assault and battery counts allows the possibility of a **LIFE** term. Evidence showed that Mathis was involved in a fight with others. **DENNIS COX, 38**, of Kimberling City, Mo., was visiting Tulsa for his brother's wedding and did not know any of the parties. But when he saw the fight, he intervened. **CARLOS LOPEZ, 30**, of Midland, Texas, was visiting Tulsa for a conference and also did not know the others, but came to Cox's aid after he was knocked down and unable to get up. Five others were gathered around the downed Cox when Mathis, got in his car, accelerated and intentionally drove into the group of people in a parking lot behind a restaurant at 33rd Place and Peoria Avenue.

As bodies flew, Cox and Lopez were pinned beneath Mathis' car. With his automobile high-centered over their bodies, Mathis then got out of the car and ran away. He pled no contest to avoid a trial.

Assistant DA Steve Kunzweiler said family members of the two men killed by Mathis want him "to serve the rest of his life in the penitentiary. Period."

District Judge William Kellough **CUT 4 YEARS** off the **24-YEAR PRISON** term for Tausha Borland, who was driving drunk in June 2009 when she plowed into bicyclists **MATTHEW EDMONDS, 34**, of Tulsa, **CHRISTA VOSS, 33**, of Owasso, and **JOHN MOORE, 40**, of Broken Arrow. Voss and Edmonds were killed, Moore survived. The cyclists were hit from behind while riding on the shoulder of Highway 51 near 161st West Avenue in Sand Springs.

Borland pled guilty to **TWO COUNTS OF FIRST-DEGREE MANSLAUGHTER** and Judge Kellough sentenced her to **24 YEARS IN PRISON**. She also pleaded guilty to **DUI** and pled **NO CONTEST** to **LEAVING THE SCENE OF A FATAL ACCIDENT** and received **6 YEARS PROBATION**.

Kellough modified the prison term to **20 YEARS IN PRISON** plus **10 YEARS PROBATION**. Borland's Department of Corrections case manager, Lee Clayton, recommended that the sentence modification be denied.

Assistant DA Erik Grayless also asked that the sentencing modification be denied, noting that "nothing has changed since the original sentencing." In a sentencing memorandum to the court, Grayless made note of the case manager's recommendation for denial of the modification request: ". . . Mr. Clayton has personal communication with the Defendant. This personal communication with a Defendant and the subsequent recommendation should not be taken lightly, especially since the court does not have this type of communication with a Defendant."

Grayless noted the anguish and suffering of the victims' friends and family members and said their "pain is raw" 28 months after this crime. "It is impossible to describe to the court the anguish in the eyes of the families still trying to comprehend the loss of a loved one. A loss caused solely and completely by the actions of the Defendant," Grayless wrote.



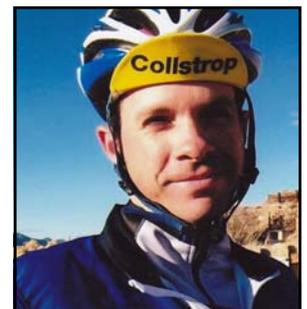
Dennis Cox, 38,
was murdered on
Nov. 1, 2008.



Carlos Lopez, 30,
was murdered on
Nov. 1, 2008.



Christa Voss, 33,
was struck and killed on
June 9, 2009,



Matthew Edmonds, 34,
was struck and killed on
June 9, 2009,

Strength and Serenity Support Group For Survivors of Violent Crime

By Gayla Castaldi

When we first heard of plans to begin a *Strength and Serenity Support Group for Survivors of Violent Crime*, we embraced the conception and idea whole-heartedly. We had already been to several local support groups for grief counseling for the loss of a child. But nothing seemed to fit. No one in any of the groups had lost a child or a loved one to murder, so it was difficult, in a sense, to relate to the loss of someone due to an illness, old age or accident. All of it is tragic and senseless, but losing someone to murder is in a category in and of itself.

Strength and Serenity Support Group began in February 2011 and what a blessing it has been to our family. Having a support group, the only one of its kind in Northeastern Oklahoma entirely devoted to surviving members of a homicide victim, is truly a much needed support system.



Gayla and Mike Castaldi's only child, "Becca," was 24 when she was murdered by her boyfriend in April 2009. They attend a Support Group sponsored by the DA's Office and Mental Health Assoc. of Tulsa.

The group facilitator, Tricia Mason, is a Licensed Professional Counselor. She, is very compassionate, has phenomenal listening skills, and knows instinctively how to approach a tender, sensitive heart.

The group is unique in that all of us can relate to an event that changed our lives forever – a senseless murder.

We talk freely about our emotions, good days, bad days, loving memories, missed opportunities and what-could-have-beens, in an environment of love and acceptance. By being able to talk about our daughter's murder, the trial, the sentencing, the appeal, the upholding of the conviction, our tremendous heartache and coming to the ultimate realization that our precious daughter died in such a horrific, callous way, has become less emotional to talk about since faithfully attending the bimonthly meetings.

We encourage anyone who has been touched by the tragic murder of a loved one, to attend these therapeutic meetings.

STRENGTH & SERENITY
Free Support Group for Survivors
Of Violent Crime
Meets Thurs. evenings, twice a month
Near 51st St. & Yale Ave. Tulsa
For Information: 918-382-2482
www.mhat.org/support_groups

Volunteer "Coach" Convicted of Preying On 14-Year-old Girl in Lewd "Sexting" Case

RECO EUGENE SELLS was convicted by a jury in September of making **LEWD PROPOSALS TO A CHILD**. He was sentenced to **40 YEARS IN PRISON** in what may be the state's first trial based on "sexting."

Sells, then 31, was a volunteer coach at a Tulsa middle school, when he grabbed a cell phone from a 14-year-old girl at the school in November 2009, telling her he needed to make a call. Instead, he called his own cell phone, capturing her phone number in its memory.

He began sending the girl text messages. In the beginning, the girl did not know who was texting her, but after questioning him she learned it was a classmate's father. At first he claimed to want to help her train for athletics. After a few days, when his messages became uncomfortably suggestive, the girl informed a school counselor and her mother about the texts.

The girl's parents called police and turned over her cell phone. For the next month, Sells thought he was texting a 14-year-old girl, but he was actually exchanging lewd photos and graphic messages about sex with Tulsa Police Officer Scott Gibson. Sells sent photos of his penis to the girl's phone, made increasingly lewd remarks and told the "girl" that he would teach her how to have sex.



He eventually arranged to meet the "girl" for sex and was instead met by police and arrested.

A jury found Sells guilty of three counts of making a lewd or indecent proposal to a child and imposed sentences of 10, 15 and 10 years. The jury found him guilty of facilitating sexual contact with a minor by use of a computer and sentenced him to 5 Years on that count. Conviction on the lewd proposal counts requires that Sells serve 85 per cent of his prison time before he is eligible for parole.

First Assistant District Attorney Doug Drummond, who prosecuted the case, said the "14-year-old girl was a hero. The fact that she immediately told her mom helped catch this defendant. This case illustrates how dangerous it is when an adult uses technology to prey on a teenager," Drummond said.

More Major Case Convictions

More Cases continued from Page 3

District Judge Kurt Glassco sentenced **CHRISTIAN RABER** to **38 YEARS IN PRISON** for shooting Wesley Nelson during a burglary at his home in July 2010. Raber entered a "blind" plea to five felonies: **SHOOTING WITH INTENT TO KILL, ROBBERY WITH A FIREARM, KNOWINGLY CONCEALING STOLEN PROPERTY** and two counts of **SECOND-DEGREE BURGLARY**. He burgled and stole property from other homes in the neighborhood. Nelson said he struggled with Raber, who shot him in the head, both shoulders and between the shoulder blades with a handgun. "I was just hoping that the pain would stop before I died," Nelson testified. First Assistant DA Doug Drummond said Raber committed a "cold and callous act. Your home is supposed to be a safe haven," Drummond said.

IOWA HAYES was acquitted by a jury of a December 2010 **ROBBERY** at the U Stop convenience store in north Tulsa. He was accused of using a knife to threaten and rob the store clerk of \$90. Assistant DA John Salmon prosecuted.

DAVID BELTON was acquitted of a series of Tulsa **ROBBERIES** in October 2010. The jury cleared Belton of robberies at **MID-FIRST BANK**, 2547 E. 21st St., **PAYLESS** shoe store, 2175 S. Sheridan Road and **QUIKTRIP** convenience store at 2749 E. Admiral Place. He was also acquitted of a robbery count involving a customer at the Payless store. Police said the robber wore a hat, demanded money, and implied that he had a gun. Belton offered an alibi defense. Assistant DAs Nalani Ching and Andrea Petersen prosecuted.

I N SEPTEMBER:

EDWARD LANE JACKSON was convicted of **FORCIBLE SODOMY** and **LEWD MOLESTATION** of a **14-YEAR-OLD BOY** in 2009. The jury sentenced him to **33 YEARS IN PRISON** on each count. District Judge William Kellough ordered the sentences to run concurrently. Assistant DA Amanda Self and Erik Grayless prosecuted.

ANITA MALLARD plead guilty to **CHILD ABUSE BY INJURY** for beating and injuring a **10-YEAR-OLD BOY**. She was sentenced to **5 YEARS IN PRISON**. Assistant DA Andrea Petersen prosecuted.

IN PURSUIT OF JUSTICE

A jury convicted **EMORY GAINES** of **CHILD ABUSE AND NEGLECT** and sentenced him to **45 YEARS IN PRISON**. Gaines whipped his girlfriend's **4-YEAR-OLD BOY** in November 2009 with a belt and extension cord. The child's injuries were so severe that his buttocks required skin grafts to heal and left scars that will most likely last a lifetime. The child suffered with the injuries untreated for more than a week. His paternal grandmother had been trying to see the child and said the mother always made excuses and put her off. When the grandmother finally was able to pick him up for a visit, she noticed he could barely walk and had to drag himself up the stairs to her porch. As soon as she got him indoors and saw his injuries, she and the father took him to the emergency room. The boy's mother, **SPEHELLE JONES**, was charged with **ENABLING CHILD ABUSE** and **CHILD NEGLECT** for failing to seek medical attention for the boy's injuries. Jones pled guilty in February and was sentenced in April to **FIVE YEARS IN PRISON** and **TWO YEARS PROBATION**. The boy now lives with his father. Assistant DA Sarah McAmis prosecuted. **SHAUN EDWARDS** was convicted of **SEXUAL ABUSE OF A MINOR CHILD** and sentenced by the jury to **20 YEARS IN PRISON**. Edwards was accused of sexually abusing a girl from the age of **14 to 18**. Assistant DA Erik Grayless prosecuted.

MICHAEL COLE was convicted of **FIRST-DEGREE ARSON** by a jury and sentenced to **4 YEARS IN PRISON**. After girlfriend **DEBRA RIVERA** ended a relationship with Cole, he poured gasoline in front of the garage apartment where she was staying, placed heavy metal shelves in front of the apartment door and lit the gasoline. Ms. Rivera escaped, but sustained burns to her feet. Assistant DA Phillip Peak prosecuted.

TRAVIS SATEPAUHOODLE pled guilty to two counts of **CHILD ABUSE** and was sentenced to **12 YEARS IN PRISON** and **5 YEARS PROBATION**. Satepauhoodle was caretaker for a **NEWBORN BABY** from August 2010 to October 2010. The child received a severe head injury, cephalohematoma, cracked skull and rib fractures. Assistant DA Sarah McAmis prosecuted.

SIGFREDO GUZMAN was convicted by a jury of **DRUG TRAFFICKING** in February 2011 and sentenced to **12 YEARS IN PRISON**. Police said he had four bags — about 450 "street doses" — of crystal meth

when he was arrested. Prosecutors were ADAs Michael English and Nick Coddling.

JACOB LUNSFORD pled guilty to **LEWD MOLESTATION** of a **12-YEAR-OLD GIRL** and **LEWD/INDECENT PROPOSAL TO A MINOR** for sending lewd text messages to a **14-YEAR-OLD GIRL**. He was sentenced to **5 YEARS IN PRISON, 5 YEARS PROBATION**. Assistant DA Andrea Petersen prosecuted.

Oliver told police that the child had been vomiting when she put him to bed with siblings. The next morning he was cold and stiff. Medical examiners said **KEYSHAWN** died of blunt force trauma to the abdomen in July 2008. A "blind plea" means that prosecutors did not agree to a sentence and a judge will determine punishment. Sentencing is scheduled Nov. 15, 2011. Green called an ambulance and said the child was unconscious. When paramedics arrived, they said the child was cold and stiff. Prosecutors said the mother and Green failed to seek medical care for the child's injury in a timely manner. Assistant DAs Sarah McAmis and Kali Strain prosecuted.

RONNIE LEON DAVIS was acquitted by a jury of **FELONY MURDER** in the June 2009 shooting death of **ROBERT RAY-MARSHALL, 19**, in Tulsa's Lacy Park. Davis was also acquitted of **ROBBERY WITH A FIREARM** and **ASSAULT AND BATTERY WITH A DEADLY WEAPON**. An earlier trial for Davis in October 2010 ended in a mistrial. Co-defendant **ROSHAWN LEROY**, pled guilty to the **FIRST-DEGREE MURDER** of Marshall in July 2010 and was sentenced **LIFE IN PRISON**. Leroy also pled guilty to **ASSAULT AND BATTERY WITH A DEADLY WEAPON** for the wounding of **KYLE DENTON JOHNSON, 21**. Assistant DA Stuart Ericson maintained Davis was a principal in a "felony murder" because he participated in a robbery that resulted in a death.

I N OCTOBER:

SCOTT ALLEN PHILLIPS was convicted of **LEWD MOLESTATION** of a **GIRL FROM AGE 7 TO 9** in 2008 to 2010 and sentenced to **25 YEARS IN PRISON**. Phillips was found not guilty of molesting two other girls, ages 4 and 7 at the time. Assistant DAs Steve Kunzweiler and Sue Nigh prosecuted.

See **More Convictions** Page 7

More Major Case Convictions

More Convictions continued from Page 6

A jury convicted **WILLIAM COOK** of **FIRST-DEGREE ROBBERY** and sentenced him to **6 YEARS IN PRISON**. In January, Cook walked into the MidFirst Bank at 71st Street and Memorial Drive in Tulsa. He went to teller **ALANNAH AUTOVICH, 24**, and said, "I have a gun. Give me all the money in your top drawer." She obeyed his command and he walked out of the bank with \$1,096 in cash. Assistant DA Michael English prosecuted.

VICTOR ANTHONY GREEN was convicted of two counts of **ASSAULT AND BATTERY WITH A DANGEROUS WEAPON** in an attack in March 2011. The jury sentenced him to a total of **24 YEARS IN PRISON**. Testimony showed that **STEVE FOWLER** and **CHRIS TOWELL** saw Green assaulting his girlfriend, **STACIE KIMES**, in a Tulsa parking lot and tried to intervene to protect the woman. Both men were stabbed by Green. Assistant DA Kali Strain prosecuted.

PAUL ROPPOLO was convicted by a jury of **KIDNAPPING** and **ASSAULT AND BATTERY WITH A DANGEROUS WEAPON** and sentenced to a total of **24 YEARS IN PRISON**. In December 2010, he kidnapped **CORRIE DECKER, 39**, from a restaurant at knife-point and threatened to kill her. Roppolo forced her to drive him to his house in Grove, Okla. During the drive, he punched, spit on, and stabbed the woman in the arm resulting in a severed nerve. At his house, he tied her to a door and threatened to kill her. He eventually let her drive to the hospital emergency room. For 15 days after the kidnapping, Roppolo left messages on the victim's phone threatening to kill her and her family. Assistant DA Kali Strain prosecuted.

JOSHUA NOSAK was convicted of **FIRST-DEGREE MANSLAUGHTER** in the May 2010 death of **MELISSA EUBANKS, 40**. Eubanks was killed when the car she was driving was hit by a Sport Utility Vehicle driven by Nosak. Testimony indicated Nosak had been using drugs and drinking at a bar and warned not to drive, shortly before the crash. Nosak drove away from the crash and almost struck a witness. The jury sentenced him to a total of **70 YEARS IN PRISON—50 YEARS** for **MANSLAUGHTER**, **10 YEARS** for **LEAVING THE SCENE OF A FATALITY ACCIDENT** and **10 YEARS** for **ASSAULT WITH A DANGEROUS WEAPON (AUTOMOBILE.)** Assistant DA Michelle Keely prosecuted.

A jury convicted **RICKY COLBERT** of **ASSAULT AND BATTERY ON A POLICE OFFICER** and sentenced him to **27 YEARS IN PRISON**. Tulsa Police Officer Darin Howse was working security at a store and saw Colbert steal a weed eater in September 2010. He tried to stop Colbert as he was getting into a car. Colbert sat in the passenger seat, grabbed the officer and held him as the driver accelerated, dragging the officer. Howse said he was ready to shoot the driver but did not because he saw innocent citizens in the parking lot. The officer finally broke free, and suffered a broken hand. Assistant DA Brett Chapman prosecuted.

TOMMY RAY EVANS was convicted by a jury of **ENDEAVORING TO MANUFACTURE METHAMPHETAMINE**. The jury deadlocked on sentencing. Punishment will be set by District Judge William Kellough on Dec. 5, 2011. Evans is a career criminal, so the minimum punishment is **21 YEARS IN PRISON**. Assistant DA John Salmon prosecuted.

A jury convicted **SAMUEL ALLEN ARP** of **ASSAULT AND BATTERY WITH A DANGEROUS WEAPON** after attacking **MARSHA WILSON, 50**, with a samurai sword in a rage over lost keys and a \$5 purchase at a store. The jury sentenced Arp to **60 YEARS IN PRISON**. Wilson was stabbed in the chest and arms and her hand was stomped on and broken. She was hospitalized and described the attack to family and hospital workers, but was uncooperative with prosecutors and testified as a defense witness. Arp had **PRIOR CONVICTIONS** for **SECOND-DEGREE MURDER** in Garfield County in 1984 and **DELIVERY OF A CONTROLLED DRUG**. Assistant DA Andrea Petersen prosecuted.

JIMMY DARYL DUNN pled guilty to two counts of **SEXUAL ABUSE OF A MINOR** for assaulting a **5-YEAR-OLD GIRL**. He was sentenced to **8 YEARS IN PRISON** and **9 YEARS PROBATION**. Assistant DA Nalani Ching prosecuted.

LASALLIE LEATHERS pled guilty to **PERMITTING SEXUAL ABUSE** and **FAILING TO REPORT SEXUAL ABUSE** of a **9-YEAR-OLD GIRL**. She was sentenced to **5 YEARS IN PRISON**. Assistant DA Michelle Keely prosecuted. Mister Leathers is charged with six counts of **SEXUAL ABUSE** of the girl. He is scheduled for trial in April 2012.

JIMMY DARYL DUNN pled guilty to two counts of **SEXUAL ABUSE OF A MINOR** for assaulting a **5-YEAR-OLD GIRL**. He was sentenced to **8 YEARS IN PRISON** and **9 YEARS PROBATION**. Assistant DA Nalani Ching prosecuted.

MELVIN E. DAN was convicted by a jury of **ROBBERY WITH A FIREARM, FIRST-DEGREE BURGLARY** and **POSSESSION OF A FIREARM AFTER FORMER CONVICTION OF A FELONY** and sentenced to a total of **31 YEARS IN PRISON**. Dan forced his way into an apartment occupied by a man, woman and 12-year-old boy and threatened to blow their heads off. One of the occupants fired through a bathroom door toward the intruder. Dan was later arrested at a local hospital where he sought treatment for a gunshot wound. Assistant DAs Stuart Ericson and Sue Nigh prosecuted.

I**N NOVEMBER:** **RODNEY LEE WALKER** was convicted by a jury of **ROBBING** three check cashing businesses and a Subway restaurant in Tulsa in August 2010. He was sentenced to a total of **45 YEARS IN PRISON**. Assistant DAs Michael English and Gary Davis prosecuted. A co-defendant, **RONALD LEE BUCKLEY** entered a "blind" plea of guilty in October to six **ROBBERIES**, including the four Walker was charged with and others. A blind plea means that the judge determines punishment without recommendation from prosecutors. District Judge Kurt Glasco sentenced Buckley to **25 YEARS IN PRISON** and agreed to review Buckley's sentence in one year. At that time he could leave it intact or modify it. A third defendant, **CHEETARA DENISE TUCKER**, pled guilty in September to two counts of **ROBBERY** and one count of **ESCAPE** and was sentenced to **16 YEARS IN PRISON**.

FRANKIE GENE SMITH was convicted by a jury of **SEXUAL ABUSE OF A CHILD** and sentenced to **LIFE IN PRISON**. Smith was accused of sexually abusing **TWO GIRLS, AGE 7 AND 8**, from July 2009 to July 2010. Assistant DAs Ben Fu and Kali Strain prosecuted. Smith had four prior convictions and pending charges another county.

See **More Convictions** Page 8

December Case Convictions

More Convictions continued from Page 7

IN DECEMBER: A jury convicted **VINCENT STEWART** of two counts of **CHILD ABUSE** of a **6-MONTH OLD GIRL**. He was sentenced to a total of **40 YEARS IN PRISON**. The child had two skull fractures, a rib fracture and was shaken, causing her brain to bleed. The child is now blind and her brain was so badly damaged that she is not expected to walk or talk. Assistant DAs Sarah McAmis and Kali Strain prosecuted.

DEREK LAMAR THOMAS was convicted by a jury of **SECOND-DEGREE MURDER** in the January 2009 shooting of **NORRIS LYNN WALTON, 54**. He was sentenced to a total of **35 YEARS IN PRISON**. — **30 YEARS** for the murder and **5 YEARS** for **ASSAULT AND BATTERY WITH A DEADLY WEAPON** for wounding **JOSEPH DOYLE**. Assistant DA Michelle Keely, who prosecuted the case, maintained that Walton was not the intended target. Doyle was shot in the leg in a drive-by shooting, then ran to a service station for cover, running past Walton who was in a wheelchair. Walton was shot and killed. Co-defendant **AMOS ADETULA** was convicted by a jury of **SECOND-DEGREE MURDER** in January. That jury also sentenced Adetula to a total of **35 YEARS IN PRISON—25 YEARS** for the murder and **10 YEARS** for wounding Doyle.

RUBEN JONES was convicted by a jury of **FIRST-DEGREE BURGLARY** and sentenced to **7 YEARS IN PRISON** in a break-in at a Tulsa apartment February 2, 2011. The jury deadlocked on a count of **ROBBERY WITH FIREARMS** during the break-in. Co-defendant **JUDAH CUMMISKY** was acquitted of burglary and robbery counts in the break-in. Assistant DAs Ben Fu and Philip Peak prosecuted.

JOSHUA JAMES VAUGHN was acquitted of murder in the 2009 shooting death of **TOMMY JAMES LOVELL, 34**, in Broken Arrow. Lovell, a neighbor of Vaughn, was found dead in Vaughn's yard. Assistant DA Steve Kunzweiler said evidence indicated Vaughn fired six shots, resulting in eight bullet holes in Lovell. Defense attorneys claimed Vaughn shot in self-defense after an angry Lovell came after him, armed with a knife. ADA Erik Grayless said evidence showed a knife was in Lovell's pocket and Vaughn never saw it.

JANETTE MICKELBORO pled guilty to **SECOND-DEGREE MURDER** in the death of her **4-MONTH-OLD SON** in August 2010. The baby died after the mother tied a blanket around his head and face to keep a pacifier in his mouth. She was sentenced to 10 Years in Prison. Assistant DA Sarah McAmis prosecuted.

RALPH THOMAS SMITH was convicted of **RAPE, ROBBERY** and **KIDNAPPING** of a **76-YEAR-OLD WOMAN** who offered him a ride from a Tulsa casino in March 2007. A jury sentenced him to **LIFE WITHOUT PAROLE** plus **100 YEARS IN PRISON**. Assistant DA Ben Fu prosecuted. Smith took control of the woman's car and assaulted her at her home and a motel. Smith admitted he was doing drugs that day but claimed there was no robbery or kidnapping and that sex was consensual. Smith represented himself at trial and cross-examined the now 81-year-old victim when she testified. The woman told him in court, "You were the one drugged up, and I was the one trying to keep from getting killed." Smith has convictions for two robberies in Missouri and burglary charges pending in Tulsa County.

TERRY LAMAR GREEN and his girlfriend **LAKEISHA RAE OLIVER** both entered "blind" guilty pleas on the morning they were to be tried by a jury for **CHILD NEGLECT** and **CHILD ABUSE** of Oliver's son, **KEYSHAWN MARKHAM, 4**. District Judge William Musseman sentenced Green to **TWO LIFE IN PRISON** sentences. Oliver was sentenced to **5 YEARS IN PRISON** and **3 YEARS** probation. Assistant DA Sarah McAmis prosecuted.

DOC Releases Non-Violent Inmates After 90 Days in Prison

Under a new law that went into effect Nov. 1, the Oklahoma Department of Corrections is releasing inmates convicted of nonviolent crimes with sentences of 5 years or less on ankle monitors after 90 days.

Most of those released have numerous felony convictions and were first given community sentences, probation, or drug court. They were sent to prison after several chances to succeed in the community. Some inmates released on monitors in Tulsa were convicted in other counties. A list of those released is published on the Tulsa County District Attorney's website as soon as the office is notified of the release by the Department of Corrections.

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District Attorney Tim Harris says by the time a person gets to prison, they've been given many chances. "We have drug court; we use alternative sentencing; we put people on probation through deferred and suspended sentencing," Harris said. "We offer treatment, but sometimes they fail all that and finally the gig is up, and you go to the penitentiary," he said.

"I understand that Legislators and the DOC is trying to relieve crowding in prison. But there is a public safety issue that must be considered," he said.

"The DOC is determining who to set free. They do not have the police reports of the crimes, the case file, criminal history or know the facts and circumstances that led us to finally send them to prison," Harris said.

"We do not make recommendations lightly. We study the facts and law and circumstances, offer a plea negotiation, and a judge, a defense attorney and the defendant all must agree to it before they are sent to the penitentiary.

If we thought they deserved a 90-day sentence, we would offer them a 90-day sentence," Harris said.

To view the lists of inmates released on ankle monitors since November 1, go to www.da.tulsacounty.org and click on the red box near the top of the page.

A Smurf Tale. OPERATION CAST A NET

By James Pfeiffer
Assistant District Attorney

On November 4-8, 2011, law enforcement agencies united to combat the methamphetamine crisis in northeast Oklahoma. Officers from the Oklahoma Bureau of Narcotics, Tulsa Police, Tulsa County Sheriff, Oklahoma Highway Patrol and local agencies from Broken Arrow, Owasso, Sand Springs, Sapulpa, Skiatook and other counties performed the operation.

Dubbed "Cast A Net," the sting operations were conducted at 20 cooperating pharmacies in Tulsa, Broken Arrow, Sand Springs, Sapulpa, Skiatook, Owasso, Claremore, Pryor, Owasso, Jay, Grove, Miami, Bartlesville and Tahlequah.

The sting targeted what are known in the law enforcement community as "smurfs". Unlike the little blue cartoon characters, today's smurfs are neither adorable nor harmless. "Smurfs" are the people who supply pseudoephedrine, an allergy medicine that is a necessary ingredient to manufacture or "cook" methamphetamine.

Undercover officers waited at pharmacies and watched for pseudoephedrine buyers who were behaving suspiciously. After sales were witnessed, officers would stop the buyers and arrest them. The operation resulted in 302 arrests, with approximately 100 arrests in Tulsa County alone.

Defendants face a variety of charges, including obtaining a controlled dangerous substance by fraud, illegal possession of pseudoephedrine, and possession of a precursor with intent to manufacture.

A LITTLE HISTORY

In 2004, in response to the meth lab problem, Oklahoma passed a law, becoming the first state in the nation to restrict sales of pseudoephedrine cold tablets to "behind the counter" at pharmacies and require records of sales to individuals. Labs in Oklahoma decreased sharply, and neighboring states saw meth cooks run to there to buy the key ingredient.

After that, Oklahoma meth "cooks" found it difficult to obtain enough to manufacture methamphetamine and the number of labs declined for a few years.

Then two things happened. The one-pot "shake and bake" method was developed, making the labs easily mobile, with all ingredients readily available in a drug store.



Because pseudoephedrine purchases were tracked and limited, cooks began recruiting "smurfs" to obtain the drug for them. Smurfs now can buy a box of PSE for \$5 and exchange it with a cook for meth or sell it for about \$50.

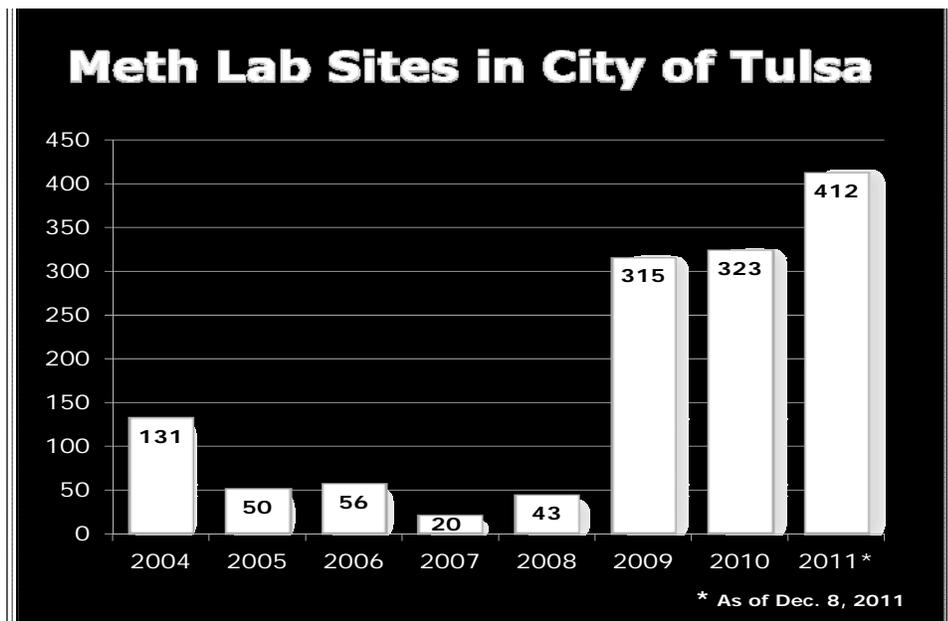
While the smurfing practice has been common knowledge in the law enforcement community for some time, the November smurf sting results surprised even seasoned officers with the enormity of the problem. Some remarked it was "like shooting fish in a barrel". Smurfs flooded local pharmacies during the operation, attempting to buy pseudoephedrine. Officers could barely keep up with them all. Many arrived in groups, going into the pharmacy one at a time to make their purchase, with the intention of delivering their goods to a cook.

Officers were highly organized and were able to observe these smurfs during the entire process. One officer reported that while he was at the pharmacy counter interviewing a suspected smurf, another actually attempted to walk around both of them to get to the counter, where he promptly asked the pharmacist for pseudoephedrine. When the officer showed his badge, the smurf immediately turned and walked away.

Other smurfs seemed not to notice or care that police vehicles were in the parking lot of the pharmacy, and walked right past officers with their pseudoephedrine purchases. Officers also reported that smurfs would begin to line up as soon as word got out that a pharmacy had pseudoephedrine available for purchase.

Pharmacists reported to officers that the smurfs are so plentiful, it makes it difficult to do any business besides sell pseudoephedrine. In fact, some pharmacists stated they frequently do not put the pseudoephedrine out for sale for part of the day in order to get other work accomplished.

Equally surprising to officers was the candor with which the smurfs acknowledged their intentions. When interviewed, most of them openly admitted they intended to take the box of pseudoephedrine to someone else and that they knew that person was going to cook methamphetamine.



Is Mom's Incarceration the Real Threat to Kids?

By Tim Harris
District Attorney

Child abuse and neglect damages our most precious citizens and we often see the effect of that damage for generations. In January, my office proclaimed 2011 the Year of the Child, noting that it may be our highest calling to protect these most vulnerable victims.

We filed 129 cases in 2011, for crimes against children and sent 67 to prison for such crimes. We also filed 314 deprived child petitions in juvenile court alleging neglect of children.

Prosecutors, police officers, child welfare workers, forensic interviewers, medical practitioners, and mental health professionals worked tirelessly to investigate and prosecute those who would harm a child.

At the same time, a media campaign decried that Oklahoma sends too many women and mothers to prison. Critics said that this incarceration puts their children at risk.

A series of "impact journalism" led off debate on Jan. 30 with the headline "Incarcerations Imperil Children's Future" on the front page of state newspapers and the Oklahoma Watch website. Several TV stations carried the reports.

I agree we need a debate about how to keep children and families safe, curb crime rates, reduce the prison population, and address substance abuse, mental illness and lack of education and job skills that drive crime. I applaud those who seek to bring this issue to the forefront of discussions.

My heart aches for children whose parents are incarcerated. But make no mistake. Many of those children's futures are in peril — not because of a parent's incarceration — but because of a parent's actions. Sometimes, that includes parents incarcerated on "nonviolent" crimes. Should we seek and adequately fund alternatives to incarceration? Absolutely. Will it be best for the children if their parents get treatment for addictions and/or mental illness and gain education and job skills? Certainly. But we must protect the children.

We must admit that many children's lives in are in peril because they are living with parents who are drug-addicted and often neglectful if not abusive. Some children may be in peril—and may die—because their parents are NOT incarcerated or the children otherwise protected from them.

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Will incarceration fix the problems of these parents? I don't know. But I do know this: While they are in prison, they aren't able to drive while intoxicated, harm a child through abuse or neglect, or conceive another while abusing drugs or alcohol.



This photo on the Oklahoma Watch website accompanies a story about mothers in prison. The caption and story did not explain that the mother is incarcerated for child neglect, enabling child abuse and other crimes.

A judicial committee studying the issue of incarcerating women recommends reduced penalties for drug crimes, presumptive probation, multiple sentences run at the same time, and expanded eligibility for alternative courts. I agree that these recommendations should be explored.

Perhaps the discussion also should focus on what should be done with offenders who repeatedly fail alternative sentences. How do we safeguard their children and the public while they serve alternative sentences?

The Tulsa County DA's office supports alternatives to incarceration if public safety allows and places more offenders in alternative courts than any other county in the state. But if you think that nonviolent offenders are sent to prison without first being given alternatives, you are wrong. There are many compelling stories of women (and men) who successfully complete alternative sentences. There also are many in alternative courts who fail treatment repeatedly and their addictions make them a threat to themselves, their children and their community.

And we must admit that the idea that drug court or other alternative courts are cheaper than incarceration, in some cases, is a myth. Proponents say the state will save "tens of thousands of dollars" if we don't

incarcerate nonviolent offenders. If we stop sending them to prison and the state doesn't fund treatment, the state will save money. But the community most likely will not.

According to the Department of Corrections, the most expensive Oklahoma women's prison costs \$15,939 per year per offender. For drug court, the state allocates \$4,000 per defendant per year for treatment, and \$1,000 per defendant per year for administrative costs. The \$5,000 does not include the salaries of a prosecutor, judge, public defender, probation officers, and deputies and clerks assigned to drug court. And some drug court participants go to inpatient treatment over and over for up to six months, and those costs are much higher than \$4,000.

The state's contracted rate for inpatient treatment is \$496 per day, according to the Oklahoma Department of Mental Health and Substance Abuse. The state tries to recoup that from private insurance, Medicaid or the Veterans Administration. There are also costs to the county, when participants break rules and are sanctioned to the county jail—at county expense of \$54 per day.

Women In Recovery, a pilot project funded by the George Kaiser Family Foundation to combat the high rate of female incarceration costs \$18,000 per year per participant. This program has been operating for 2½ years and has proven effective. There are approximately 150 women in the program and 36 have graduated successfully. I am grateful to the foundation for funding this worthy project. But it does show that the \$5,000 per year figure cited for drug court is not realistic. And, the \$18,000 per year figure still does not include the cost of added caseload and labor intensive work for prosecutors, judges, public defenders, probation officers, deputies and court personnel.

The DA's office supports Women in Recovery, Drug Court, Veterans Court, Mental Health Court, Community Sentencing and other programs that include treatment for addiction and other root causes of crime.

The reality is, though, that not everyone succeeds in these alternative programs and there must be meaningful consequences for continued noncompliance with court orders and/or continuing criminal behavior. And sometimes, that accountability means incarceration.

From Outrage to Action: Preventing Child Abuse

By Sarah McAmis
Assistant District Attorney
Tulsa County



Sarah McAmis,
Director of
Crimes Against
Children

As the information about the sexual abuse scandal at Penn State began to hit the media, many people were shocked to hear that a man with such power and respect could perpetrate so many children. What is even more shocking is that there were so many people who apparently had some level of knowledge about the abuse, but who each failed to stop or report it. The national media has reported on the differences in the state laws for reporting child abuse and the information has been both contradictory and difficult to understand.

The law in Oklahoma is much different than Pennsylvania's and our State provides much greater protection to its children. In Oklahoma, there are certain professions which are specifically listed as "mandatory" reporters of potential child abuse. Those professions include physicians, nurses, and other health care providers.

However, in addition to those listed professions, EACH AND EVERY adult in the State of Oklahoma who HAS REASON TO BELIEVE that a child has been the victim of abuse is REQUIRED BY LAW to make a report of that potential abuse. The reporting obligations are individual to the person. In other words, it is NOT sufficient to simply inform a supervisor, administrator, or employer. Instead, the individual person must ensure that a report is made to the authorities. In addition, a supervisor or administrator may NOT prevent an employee or individual from making a report and he may not take any adverse action against the person who makes the report.

I have often been asked what to do by people who have a concern or a suspicion for child abuse, but who are not "sure" whether the child has really been abused. They are reluctant to report because they do not want to get anyone in trouble "if they are wrong" about their suspicion. However, it is very important to understand that no one expects or wants an individual with concerns to take it upon himself to confirm or disprove the allegations before he makes a

report. Instead, the law requires that the person make the report **if he has reason to believe** and not that he wait and do so only if he can prove it. The law allows the person to make the report anonymously if he prefers and it protects him from any liability as long as the report is made in good faith. Our citizens should rest assured that we have an incredible system in place to thoroughly and discreetly investigate potential child abuse cases. The investigations are conducted by professionals who specialize in child abuse and are they done in a manner that minimizes any trauma to the child and in a manner that is in the child's best interest.

I have also been asked what to do when a suspicion is raised in what would otherwise be considered a "confidential" setting. For example, when a concern arises during conversations between a member of the clergy and his parishioner or during a counseling session. In Oklahoma, there is no confidentiality exemption for reporting child abuse.

In addition, no person can enter into a contract or agreement wherein he agrees not to make a report.

The media has discussed at length the difference between the "legal" and "moral" obligations that were apparently faced by each of the persons allegedly involved at Penn State. If the same situation occurred in Oklahoma, any person with knowledge would be required to report - both legally and morally. Perhaps if even one person had come forward, countless victims could have been spared and the lives of so many young men would not have been permanently impacted. Remember that we must always err on the side of the child and that it is better to have an investigation show that no abuse occurred than to have a child suffer in silence because an adult hesitated in making a report. If you have any reason to suspect child abuse, please call the DHS hotline at 800-522-3511.

Reporting Abuse In Oklahoma

Oklahoma Hotline 800-522-3511

What does the State of Oklahoma Require?

Oklahoma Statutes 10A § 1-2-101:

A.1. The Department of Human Services shall establish a state wide centralized hotline for the reporting of child abuse or neglect to the Department...

<p>B.1. Every person lieve that a child un- eigheten (18) years or neglect shall re-</p>	<p>having reason to be- der the age of is a victim of abuse port the</p>
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matter promptly to the Department of Human Services....

3. No privilege or contract shall relieve any person from the requirement of reporting pursuant to this section.

4. The reporting obligations ... are individual and no employer, supervisor, or administrator shall interfere with the reporting obligations of any employee or other person or in any manner discriminate or retaliate against the employee or other person who in good faith reports suspected child abuse or neglect, or who



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Tulsa County District Attorney

Our Meth Epidemic is a Danger to All

Our community faces a powerful, destructive enemy. It is Meth. It is hurting our children, leaving property in flames, and endangering the public. And it is costing citizens millions of dollars in toxic cleanup, child welfare, burn units, police, court and prison costs.

Meth addiction is behind many of the crimes we see. But mobile meth labs are more than a drug problem. They are a public safety nightmare. In five minutes, a meth cook can walk into a store and buy everything needed to destroy himself, his family, his neighbors and contaminate hotels, apartments, houses, streets and parks with toxic waste.

As we try to boost our economy by encouraging businesses to relocate to Tulsa, our city is becoming known as the Meth Capital. This is not a selling point.

In October, I testified before a state Senate sub-committee researching the sale of pseudoephedrine (PSE) and its relationship

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to methamphetamine production in Oklahoma. As of November 23, police have discovered 398 meth lab sites in the city of Tulsa in 2011, surpassing by 75 the total number for 2010. That number does not include lab sites found in suburban cities or rural areas of the county.

Pseudoephedrine – the *D* on cold medicine, is a fast and cheap decongestant. It is a good drug. Too bad it has a dual usage as the precursor for crystal meth, and is a major health hazard for our community.

There is a simple way to solve this. Put the genie back in the bottle by returning pseudoephedrine to prescription drug status. Oregon did just that and has five years of stats to show it works. Since requiring a prescription for PSE, Oregon's crime rate hit a 50-year low and the state saw a 95% reduction in meth lab incidents.

The first priority of all District Attorneys throughout the state is passing legislation to make PSE a prescription drug like it was prior to 1976. A former meth cook testified at the Senate hearing that cooks are scared



Tim Harris

we will be successful. I understand that it is an inconvenience to get a prescription. If I believed there was any other way to successfully attack this issue and promote public safety, I would be on board, but there isn't.

The cost of mobile meth labs to taxpaying citizens is astronomical. Simply tracking sales hasn't stopped meth labs, as cooks now recruit straw purchasers, known as "smurfs" who exchange the pills for meth or cash.

I believe requiring a prescription for PSE will take away the one ingredient the cooks must have to make meth. Drive the labs out of Tulsa and I predict our crime rate will go down just like Oregon's did. The research is in; the prescription law works. It is far past time for our state and community to come together to end this unnecessary epidemic.

In coming months this issue will be debated by our Legislature. It will take courage to pass this important public safety law. Please tell your Legislators how you feel. Find your Legislators' contact information on our website: www.da.tulsacounty.org