

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

IN RE:)
PETITION TO IMPANEL)
GRAND JURY)

PETITION FOR GRAND JURY INVESTIGATION

WARNING: It is a felony for anyone to sign a petition for the convening of a grand jury with any name other than his own, or knowingly to sign his name more than once for the convening of a grand jury, or to sign such petition when he is not a legal voter of the county. 22 OS § 311.1

COMES NOW Al Gerhart, by and through their attorney, , and in support of his Petition for Grand Jury Investigation alleges and states as follows:

Jurisdiction

1. Albert Gerhart is a bona fide resident of Oklahoma County, State of Oklahoma.
2. Albert Gerhart (hereinafter “Citizen”) is a grass roots organizer, the organization is known as the Sooner Tea Party.
3. Citizen is a qualified elector of the State of Oklahoma. Okla Const. Art. 3, § 1
4. Citizen is registered to vote in Oklahoma County, State of Oklahoma.
5. The underlying facts and circumstances of the areas of inquiry described herein occurred in Oklahoma County, Oklahoma.
6. This court has jurisdiction over the parties and the subject matter in this action.

Parties Involved

1. Christopher Kannady is the current duly elected state representative of House District 91, Oklahoma County, State of Oklahoma.
2. Kevin McDugle is the current duly elected state representative of House District 12, Wagoner County, State of Oklahoma
3. Mrs. Tess Teague was the Representative for House District 101 in 2017 and 2018.
4. Mrs. Elizabeth Leaming is an employee for the Ponca City Development Authority in Ponca City.
5. Adam Leaming is the Chief Executive Officer of University Center at Ponca City.
6. Mayor Brian Hobbs is the Mayor of Newkirk Oklahoma.
7. Victim #1, #2, and #3 are all victims of sexual assault, exhibition of obscenity, or attempted rape. Victim #1 and #2 are known persons, Tess Teague, and Elizabeth Leaming respectively.
8. Victim #3"s identity is unknown at this time but she is represented by attorney Julia Marie Ezell.

9. Ron Sharp is the current duly elected state senator of Senate District 17, Oklahoma and Pottawatomie Counties, State of Oklahoma.
10. Tommy Johnson is an investigator for the OSBI.
11. Chelsea Church, was the Executive Director of the Oklahoma State Pharmacy Board during the first 7 months of 2018
12. Terry Gerard was a member of the Oklahoma State Board of Health in all of 2018.
13. Tom Bates was the former interim Director of the Oklahoma Health Department.
14. Terry White is the Department of Mental Health and Substance Abuse Commissioner.
15. David Prater is the Oklahoma County District Attorney.

II. PROCEDURE

38 O.S. §§ 101-108 provide the procedural framework for the impaneling of a grand jury. Section 101 requires the filing with the Court Clerk of the petition to impanel a grand jury prior to the obtaining of any signatures. Section 102 requires a determination by the presiding district judge of the sufficiency of the petition within four (4) days of the filing of the petition. Upon the entry of an order finding the petition to be sufficient, Section 103 provides that the circulators¹ of the petition have forty-five (45) days to obtain sufficient signatures² to authorize the entry of an order impaneling a grand jury. If the number of signatures of qualified electors on the petition is certified by the Election Board to the Court Clerk, to be sufficient, and all other requirements of Sections 101 -108 are met, Section 107 mandates that the presiding district judge shall order the impaneling of a grand jury to convene within thirty (30) days of the date the certification was received by the Court Clerk from the Election Board. 1st

III. Sufficiency of the Petition Allegations

38 OS § 101

“Beginning November 1, 1989, any person, group of persons or organization desiring to circulate a petition for the impaneling of a grand jury, pursuant to the provisions of Section 18 of Article II of the Oklahoma Constitution shall file a copy of said petition with the court clerk of the county prior to the obtaining of any signatures upon such petition. Any such petition, upon its face, shall state the subject matter or matters of the prospective grand jury and shall state a reasonably specific identification of areas to be inquired into and sufficient general allegations to warrant a finding that such inquiry may lead to information which, if true, would warrant a true bill of indictment or action for removal of a particular public official.” 38 OS § 101

1. It shall be unlawful for any person other than a qualified elector of the State of Oklahoma to circulate any initiative or referendum petition to amend, add to, delete, strike or otherwise change in any way the Constitution or laws of the State of Oklahoma, or of any subdivision of the State of Oklahoma. Every person convicted of a violation of this section shall be punished by a fine of not to exceed One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for not to exceed one (1) year, or by both said fine and imprisonment.” Okla. Stat. Ann. tit. 34, § 3.1 (West)
2. ...signed by qualified electors of the county equal to the number of signatures required to propose legislation by a county by initiative petition as provided in Section 5 of Article V of the Oklahoma Constitution, with the minimum number of required signatures being five hundred (500) and the maximum being five thousand (5,000); and further

2. providing that in any calendar year in which a grand jury has been convened pursuant to a petition therefor, then any subsequent petition filed during the same calendar year shall require double the minimum number of signatures as were required hereunder for the first petition..." Okla. Const. Art. II, § 18

A. Subject Matters of the Prospective Grand Jury

1. Sexual battery is the intentional touching, mauling or feeling of the body or private parts of any person in a lewd and lascivious manner without the consent of that person. Sexual battery is a felony under Title 21 Section 1123 and punishable by up to ten years in prison.
2. Distribution and exhibition of obscene material is willingly and knowingly downloading and exhibiting obscene material to offend and annoy another person and it is a felony under Title 21 Section 1021 punishable by up to \$20,000 in fines and up to ten years in prison.
3. Mingling drugs with food or drink is the adulteration of Schedule I through V drugs pursuant to any food or drink with intent to harm, incapacitate, or intoxicate another person and is a felony under Title 21 section 832 with no less than five years in prison and not less than \$1000 fine.
4. Attempted First Degree Rape is an attempt to perform an act of sexual intercourse with an unwilling person where force or violence is used or threatened or where the victim is intoxicated by a narcotic or anesthetic agent, administered by the accused or an assistant as a means of forcing the victim to submit. Attempted first degree rape is a felony under Title 21 section 1111 and punishable by no less than 2.5 years in prison.
5. A person is guilty of an attempt to commit a crime if, acting with the kind of culpability otherwise required for commission of the crime. Title 21 Section 44 gives the penalty for attempting a felony of one half the sentence of the crime being attempted.
6. Spreading false rumors is to knowingly or maliciously communicate to other persons a false rumor or report of slanderous or harmful nature which might be detrimental to the character, standing, or business/trade/ profession of another person. Title 21 Section 781 declares that spreading false rumors is a misdemeanor with fines up to \$500 and up to 120 days in jail.
7. Criminal libel is a false or malicious writing that exposes any person to public hatred, contempt, or tends to deprive him or public confidence or to injure him in his occupation. The truth of the information published with good motives and justifiable ends is a defense to criminal libel as is the fair and true report publicized as part of legislative or judicial duties. Title 21 sections 771 through 778 define the penalty for criminal libel as up to one year in jail and no more than \$1000 fine.
8. The Computer Crimes act is violated when a computer, computer system, computer network or any other property is used to devise or execute a scheme or artifice with the intent to defraud, deceive, extort or for the purpose of controlling or obtaining money, property, services or other thing of value by means of a false or fraudulent pretense or representation.
9. Bribery of a public officer is the offering or giving to a public officer or state employee any gift, gratuity, job, with the intent of influencing their decision in any cause before them in their official capacity. Bribery of a public officer is a felony under Title 21 Section 381 and is punishable by up to five years in prison.
10. A person is guilty of an attempt to commit a crime if, acting with the kind of culpability otherwise required for commission of the crime. Title 21 Section 44 gives the penalty for attempting a felony of one half the sentence of the crime being attempted.
11. Conspiracy is when two or more people conspire to commit any act injurious to the public

health, to trade or commerce, or to the perversion of the due administration of the laws. Title 21 Section 421 states that conspiracy in the commission of a felony is punishable by a \$5000 fine and/or up to ten years in prison.

12. Officer's Refusal to Perform Official Duties is the willful failure or refusal to perform the duties of his office according to law. Title 21 Section 345 states that Refusal to Perform Official Duties is a misdemeanor.
13. Willful Neglect by State Officers is the willful neglect or refusal to perform the duties of his office according to law. Title 21 Section 348 states that Willful Neglect by State Officers is a misdemeanor.
14. Conspiracy Against State is when two or more people conspire to commit an offense against the state or any subdivision thereof in any manner and for any purpose and if one or more of the parties does any act to effect the conspiracy, all parties to such conspiracy shall be guilty of a felony. Title 21 Section 424.

To investigate a series of sexual assaults, mingling of drugs into food or drink, and attempted rape upon numerous women in Oklahoma County by State Representative Christopher Kannady. To investigate a case of downloading and exhibiting obscene material by State Representative Kevin McDugle. To investigate a case of criminal libel and the Spreading of False and Malicious Rumors committed by State Senator Ron Sharp using Oklahoma Senate resources and employees. To investigate a case of bribery or attempted bribery involving the State Health Department and the Oklahoma State Board of Pharmacy. To investigate a case of an officer's refusal to perform official duties or willful neglect by a state officer associated with the alleged bribery or attempted bribery charges in order to ascertain if the local District Attorney was involved with others in a conspiracy against the state in the handling of the medical marijuana rules formulated by the State Health Department

B.

Identification of Areas to be Inquired Into

Citizen requests that a grand jury make an inquiry into:

1. Whether or not Representative Christopher Kannady committed Sexual Battery upon Victim #1 under Title 21 Section 1123.
2. Whether or not Representative Kevin McDugle committed the felony offense of Distributing Pornography by the act of downloading and exhibiting obscene material to sexually harass and annoy Victim #1 pursuant to Title 21 Section 1021.
3. Whether or not Representative Christopher Kannady committed Sexual Battery upon Victim #2 under Title 21 Section 1123
4. Whether or not Representative Christopher Kannady committed the act of Mingling of Drugs in an attempt to intoxicate/incapacitate victim #3 in an effort to commit Attempted Rape upon Victim #3 under Title 21 section 832.
5. Whether or not Representative Christopher Kannady committed Sexual Battery and Attempted Rape upon Victim #3 under Title 21 Section 1123 and Title 21 section 1111.
6. Whether or not Representative Christopher Kannady committed Sexual Battery upon other Jane Does under Title 21 Section 1123.
7. Whether or not Senator Ron Sharp committed the felonious act of spreading False and malicious Rumors under Title 21 Section 781 .

8. Whether or not Senator Ron Sharp committed Criminal Libel under Title 21 sections 771 through 778.
9. Whether or not Senator Ron Sharp violated the Computer Crimes Act in Title 21 Section 1953.
10. Whether or not John Does and/or Jane Does entered into a conspiracy to commit criminal libel, violate the Computer Crimes Act, and/or spreading False and Malicious Rumors with Senator Ron Sharp.
11. Whether or not a conspiracy existed between Senator Ron Sharp and the OSBI, specifically Tommy Johnson of the OSBI and unknown/John Doe supervisors or officers, to falsely accuse Epic Charter Schools of violating state law by re investigating allegations that had been investigated and cleared years earlier.
12. Whether or not Chelsea Church committed Bribery or Attempted Bribery in Title 21 Section 381
13. Whether or not Terry Gerard committed Bribery or Attempted Bribery under Title 21 Section 381
14. Whether or not Tom Bates committed Conspiracy with Chelsea Church and Terry Gerard and/or others unknown to commit Bribery or Attempted Bribery under Title 21 Section 381 and Title 21 Section 421.
15. Whether or not Department of Mental Health and Substance Abuse Commissioner Terry White conspired to commit Conspiracy with Chelsea Church, Terry Gerard, and Tom Bates in the crime of Bribery or Attempted Bribery under Title 21 Section 381 and Title 21 Section 421.
16. Whether or not Oklahoma County District Attorney David Prater Refused to Perform Official Duties under Title 21 Section 345.
17. Whether or not Oklahoma County District Attorney David Prater committed Willful Neglect of Official Duties under Title 21 Section 348.
18. Whether or not Oklahoma County District Attorney David Prater entered into a Conspiracy Against the State with others under Title 21 Section 424.

C. Allegations

Victim#1

1. In April of 2017 a birthday party was held at the Harn Homestead attended by legislators and assorted lobbyist and politicians. Afterward Representatives Christopher Kannady, Kevin McDugle, Kevin Wallace, Scott Fetgatter, and freshman Representative Mrs. Tess Teague agreed to visit Nic's Place, a grill and lounge, for networking and fellowship.
2. Rep. Scott Fetgatter allegedly sat on the outside of a circular booth in a chair with Mrs. Teague sitting in the center flanked by Christopher Kannady and Kevin McDugle. Mrs. Teague reported that Kevin McDugle pulls out his cell phone and without permission or discussion starts showing Mrs. Teague a disgusting porn video which was claimed by others to be two females defecating on each other. Teague reported that she was trapped between Kannady and McDugle and unable to leave the booth. At the same time Mrs. Teague reported that Kannady was running his hand over her leg in a sexual manner.
3. The act of downloading and exhibiting a video depicting two females defecating on each other is far outside the bounds of decency and is obscene and thus the crime of Distribution and Exhibition of Obscene Material which is a felony under Title 21 section 1021.
4. The act of Christopher Kannady running his hand over the leg of a married woman in conjunction with the display of the defecation porn video is an act of Sexual Battery under

Title 21 Section 1123.

5. Mrs. Teague left the lounge and immediately called numerous friends and family including her husband to report the sexual battery but thought she would be ostracized if she made a formal complaint or police report and limit her ability to represent her constituents at the Capitol. In 2018 that became a reality after Representative Christopher Kannady orchestrated a campaign against several conservative legislators including Mrs. Teague resulting in her loss to Kannady's candidate.
6. In May of 2019 The House of Representatives appointed a special counsel to investigate the incident, appointing attorney Chelsea Smith. However those whom Mrs. Teague had called that night immediately after the incident were not interviewed and the investigation appeared only to investigate the incident as a sexual harassment issue in the work place. The special counsel found that the accounts of the victim differed from the accounts of the accused and the other legislators who were witnesses.
7. On May 13th before a press conference Rep. Scott Fetgatter and Rep. Mark McBride were caught on a hot mike discussing the allegations, with the following being said: "McBride: "You molested this girl after Kannady did?" Fetgatter: "No, I was at the table and I allowed it." McBride: "Are you sure it wasn't a donkey or a goat?"
8. Both Fetgatter and McBride claimed their comments were taken out of context or that they were joking yet no investigation was done and it appears that the special counsel did not interview the two men to determine if the exchange was merely joking or a candid admission of what occurred at Nic's Lounge in April of 2017.
9. The allegations are that the Distribution and Exhibition of Obscene Material which is a felony under Title 21 section 1021 and the act of Sexual Battery under Title 21 Section 1123 were committed by the two men.

Victim #2

1. Rep. Christopher Kannady and Ponca City Development Authority employee Mrs. Elizabeth Leaming were members of Leadership Oklahoma, an organization that recruits and trains groups of business leaders, politicians, and government organization employees in batches of around 50 persons per class. The class of people would regularly meet at locations around the state to tour facilities and learn how government issues were solved at those locations.
2. Both Kannady and Mrs. Leaming were members of Class 32 and were attending an official event one day this year and afterward a large subsection of the class retired to a local bar for fellowship and conversation. Mrs. Leaming's Husband Adam Leaming reported that his wife was talking with a group of people near a bar and that Christopher Kannady walked up, grabbed her buttocks in a sexual manner, and made an obscene observation or suggestion. Mrs. Leaming was said to have recoiled at the sexual battery and "chewed out" Christopher Kannady on the spot.
3. Adam Leaming learned of the sexual battery upon his wife and told the story to Brian Hobbs, the current Mayor of Newkirk. Mayor Hobbs knew of the allegations about Victim #1 and reported the incident to Al Gerhart of the Sooner Tea Party who publicized the allegations against Victim #2 in an online newsletter.
4. At one point Mayor Hobbs and Adam Leaming had a Facebook Messenger conversation about the incident that documents the sexual battery occurred but that Mrs. Leaming probably didn't want to make a formal report or complaint. Adam Leaming is the Chief Executive Officer at the University Center at Ponca City and as his wife Mrs. Leaming works for the Ponca City Development Center their jobs could be affected if they reported the sexual battery allegations.

Faced with an apparent pattern of allegations of sexual battery that appeared to be increasing the Sooner Tea Party published an account of the allegations which led a third alleged victim to come forward via her attorney Julia Marie Ezell.

5. The allegations are that Christopher Kannady committed Sexual Battery upon Victim #2 under Title 21 Section 1123.

Victim #3

1. Julia Marie Ezell is informally representing or was informally representing Victim #3 at the time of the disclosure. Ezell alleged that Victim #3 works for the state government in some capacity and was concerned about coming forward as it might impact the victim's job. Ezell was also dealing with some legal issues of her own that were peripherally related to another of the Grand Jury allegations, the bribery case and felt that if she brought the allegations forward they might not be taken seriously.
2. The allegations were that Victim #3 was at an Oklahoma City bar/lounge with a group of friends when Christopher Kannady showed up. Eventually the others had left leaving Victim #3 and Christopher Kannady alone at the bar. Victim #3 is alleged to have began feeling unwell, disoriented, or woozy and she excused herself and made her way to the restroom to compose herself. Victim #3 is said to alleged that Christopher Kannady barged into the women's restroom and threw himself upon her until she fought her way clear and was able to leave the bar. Victim #3 is alleged to have gotten into her car despite her unsteady state, driven a few miles, and was then unable to continue to drive so she found a parking lot to park her car and promptly passed out. A few hours later she alleged that she awoke and realized that she might have been "roofied", slang for being drugged by the date rape drug known as Rohypnol. All of the allegations and information came from Ezell so Victim #3 remains unknown at this time but the story was credible enough and serious enough matter that the allegations were published in the Sooner Tea Party Newsletter. There is a recording of the allegations being given by Ezell.
3. Neither Victim #2 nor Victim #3 were interviewed by the special Counsel Chelsea Smith in the House investigation nor were any of the victim's witnesses interviewed in the investigation of Victim #1 Mrs. Teague.
4. The allegations are that Christopher Kannady committed Sexual Battery upon Victim #2 under Title 21 Section 1123, attempted First Degree Rape under Title 21 Section 1111, and the act of Mingling of Drugs in an attempt to intoxicate/incapacitate in an effort to commit Attempted Rape upon Victim #3 under Title 21 section 832.

Senator Ron Sharp Spreading False and Malicious Rumors

1. On or about August 26th Jennifer Swearingen with the Oklahoma State Senate released a press release on behalf and at the direction of Senator Ron Sharp. The press release stated that the Oklahoma Statewide Virtual Charter School Board (OSVCSB) verified Senator Sharp's concerns of illegal enrollment practices by Epic Charter Schools in order to receive additional state funding.
2. The press release further stated that the State Department of Education (SDE) claimed that Blended Learning Centers (BLC) which are physical locations that virtual students can attend are governed by the same attendance regulations as traditional charter schools and not as virtual charter schools. Sharp alleged that under the Oklahoma Administrative Code (OAC) Title 777

- Epic Charter Schools cannot use the virtual attendance policy and that OAC Title 210 is applicable and thus violated the law by improperly counting students.
3. However in an email dated September 5th 2019 at 12:51 pm the OSVCSB stated that they had made no determinations regarding Epic One on One Charter Schools enrollment practices and that they have no jurisdiction over Epic Blended Charter Schools and could not make such a determination.
 4. Furthermore, the Executive Director of OSVCSB sent a letter to Epic Charter School's attorney stating that they had not communicated with the press nor had their board met with Senator Sharp nor had their Executive Director over the details of Epic's policies or procedures.
 5. Additionally on or around August 13th the SDE had sent Senator Sharp a detailed 14 page email and hand delivered letter that outlined that Epic Blended Learning Centers were not subject to the same regulations that covered traditional charter schools. The SDE email also addressed Senator Sharp's other legal theories and dismissed them as untrue including that OSVCSB had jurisdiction over the Epic Blended Learning Centers.
 6. The SDE email went further and stated that a traditional public school district or charter school sponsored by an entity other than OSVCSB may offer full time virtual instruction to any of its resident students.
 7. The SDE email also stated that traditional public schools, brick and mortar charter schools and non-statewide virtual charter schools establish their own attendance policies consistent with applicable laws. A traditional public school with a virtual school offering and/or a non-statewide virtual charter school may adopt the attendance requirements that a statewide virtual charter school is required to adhere to under applicable laws.
 8. Senator Sharp using his position and resources willfully ignored privileged information given to him from two state agencies in order to diminish the owners and employees of an authorized vendor of the State of Oklahoma that comports with accounting rules that govern it. This served to enhance competitors that benefit from that vendor losing clients.
 9. Senator Sharp's campaign contributions have numerous public sector unions, educational association/unions, and educators as contributors. Senator Sharp is a former educator with a PhD in education. Senator Sharp has been vocal in his attacks on charter schools in general and against Epic Schools.
 10. The allegations are that Senator Ron Sharp committed the felonious act of spreading False and Malicious Rumors under Title 21 Section 781, committed Criminal Libel under Title 21 sections 771 through 778, violated the Computer Crimes Act under Title 21 Section 1953, and that John Does and/or Jane Does entered into a conspiracy to commit the spreading False and Malicious Rumors, criminal libel, and violate the Computer Crimes Act.

Tommy Johnson, OSBI. and Epic Charter Schools

1. Epic Charter Schools are a group of virtual charter schools and blended learning centers that are public schools by law and operate to give many students a second chance at getting an education after the local public schools have failed the children.
2. Reasons for parents enrolling their children in Epic are many but may be due to bullying in school, suspension from school for disruptive behavior, ultra talented kids that are held back by the pace of the local schools, medical issues that make it difficult for the kids to function in the local schools, or that the parents want a better education than the local schools can provide.
3. The schools are audited by the State Department of Education and state approved auditors annually and other investigations that go back as early as 2011 have always shown the charter school has been operating legally and innocent of all allegations.

4. There are many charter schools operating in Oklahoma yet Epic Charter Schools has been the most successful and for that reason has drawn the enmity and ire of both the public school administrators and the teacher unions.
5. As a result Epic Charter Schools has been the target of multiple false investigations and accusations yet the allegations remain the same allegations that had been investigated in previous years.
6. Currently an OSBI investigation has just ended and the Citizen believes it came about after Senator Ron Sharp requested an investigation despite knowing there were no criminal issues involved.
7. The allegation is that Senator Ron Sharp and the OSBI including Tommy Johnson conspired to prosecute an investigation and press for criminal charges on procedures that both the State Department of Education and the State Virtual Charter School Board have been regulating and advising the charter school to follow.
8. Furthermore, there might be a Conspiracy Against the State under Title 21 Section 424 which would be a felony if one of the conspirators committed criminal acts in furtherance of the conspiracy.

The State Health Department, Oklahoma State Board of Pharmacy, Oklahoma State Board of Health, Oklahoma County District Attorney Office Bribery/Conspiracy Issue

1. On or about July 7th 2018 the Executive Director of the Oklahoma State Board of Pharmacy Chelsea Church communicated via SMS text message with then Oklahoma State Department of Health General Counsel Julie Ezell offering Ezell a job with the State Board of Pharmacy as an attorney with a guarantee of a hefty pay raise in exchange for a rule change mandating a pharmacist to be employed in each marijuana dispensary. That would be considered Bribery under Title 21 Section 265 and Computer Crimes under Title 21 Section 1953.
2. Oklahoma State Department of Health general counsel Julie Ezell filed a set of rules that did not contain the aforementioned requirement of employing a pharmacist in each marijuana dispensary and notified Church on or around July 8th 2018 at 10:27 am that the rules were being submitted without the pharmacist rule due to the statutes passed by State Question 788 that didn't provide the authority to include the pharmacist requirement. The SMS message also reflected an alleged death threat received by Ezell that is thought to be an effort to get Church and others to back off on asking for unauthorized requirements like the pharmacist requirement or the ban on smoke-able marijuana.
3. On or about on July 10, 2018 the rule adopting the pharmacist to be in a dispensary was offered by a Oklahoma Department of Health board member, Dr. Terry Gerard in direct opposition with Ezell's recommendations and a few days later the Oklahoma Attorney General advised the Board that it would be improper. As the same manner of language and vision that Church sought to have Pharmacists mandated to be employed in Private Dispensaries in opposition to the Oklahoma Constitution was communicated, it would reasonably involve computer networks, emails, or electronic communication to ensure said passage. The intent is to defraud the State of Oklahoma citizens for purposes of benefiting select groups with mandated financial windfalls and to frustrate the will of the voters that passed State Question 788.
4. Church moved to financially incentivize a legal counsel of the State of Oklahoma to bring forward rules that financially benefit constituents of Church's board. It's plausible and reasonable that Church reached out to other board members. The July 2018 meeting that took place regarding "emergency rules" approved rules in apparent conflict with both the Department

of Health's general counsel as well as eventually the Oklahoma Attorney General. At that meeting, in particular, the mandating of pharmacists being employed was relayed to be quite likely be outside of their scope of authority (as noted in their minutes) and shortly after being advised, Terry Gerard offers to make the amendment to do that very act despite being in conflict with both the Department attorney, the AG, and the Oklahoma Constitution as voted on by citizens to enjoy their rights.

5. Both Chelsea Church, Terry Gerard, and perhaps other board members appear to have conspired and coordinated on this plan and the Department of Mental Health and Substance Abuse Commissioner Terry White has been alleged to be involved as well to improperly influenced the application of rules in the dispensation and use of medical marijuana.
6. Oklahoma County District Attorney David Prater has charged Ezell with fabricating evidence and Computer Crimes, both felonies, along with a misdemeanor for filing a false report yet one year later there has been no charges filed against Church for the attempted bribery nor any of the alleged conspirators involved in manipulating Ezell's submission of the rules to the Oklahoma Health Department. Allegations that the false death threats were fabricated in an effort to get higher placed government officials like Terry White, Chelsea Church, and Tom Bates to back off on pressuring Ezell to use the submitted medical marijuana rules as a poison pill against the marijuana industry are serious and credible enough to investigate if Oklahoma County District Attorney David Prater had any part in any alleged conspiracy to convert the will of the voters on State Question 788.
7. Furthermore, over one year later with no charges filed in the attempted bribery scheme lead many to believe that Ezell is being punished while far more serious crimes are ignored and powerful people protected from justice. Individuals and groups have called for charges or for the multi-county grand jury to investigate to no avail.
8. The allegations to be investigated are if Chelsea Church committed Bribery or Attempted Bribery under Title 21 Section 381, if Terry Gerard committed Conspiracy to commit Bribery or Attempted Bribery under Title 21 Section 381, if Tom Bates committed Conspiracy with Chelsea Church and Terry Gerard and/or others unknown to commit Bribery or Attempted Bribery under Title 21 Section 381 and Title 21 Section 421, if Oklahoma County District Attorney David Prater Refused to Perform Official Duties under Title 21 Section 345, if Oklahoma County District Attorney David Prater committed Willful Neglect of Official Duties under Title 21 Section 348, or if Oklahoma County District Attorney David Prater entered into a Conspiracy Against the State with others under Title 21 Section 424.

PRAYER FOR RELIEF

Citizen, the undersigned qualified elector of Oklahoma County, State of Oklahoma, pursuant to the Oklahoma Constitution, Article 2, § 18 and 38 OS §§

101-108 of the Oklahoma Statutes hereby petitions the court for the following relief:

1. An order finding that the face of this petition states the subject matter or matters of the prospective grand jury, states a reasonably specific identification of areas to be inquired into and sets out sufficient general allegations to warrant a finding that such inquiry may lead to information which, if true would lead to the indictment of numerous crimes against the state. 38 OS § 101
2. An order finding that the proposed signature page attached hereto as Exhibit A is sufficient and approved by the court as to form and content.

3. A determination that the number of qualified electors who have signed the petition, as certified to the Court Clerk by the Election Board is sufficient to meet the requirements of Article II, Section 18 of the Oklahoma Constitution, a determination that all other legal requirements have been met and entry of an order impaneling a grand jury to convene within thirty (30) days of the date the certification is received by the Court Clerk from the Election Board.

1. Upon the entry of the order impaneling the grand jury, entry of an additional order disqualifying the entire Oklahoma County District Attorney's Office from acting in the capacity of legal advisor to the grand jury.

2. Such other and further relief as authorized by law.

Respectfully submitted,

Exhibit A:

OKLAHOMA COUNTY GRAND JURY PETITION

This is a petition to impanel a Grand Jury to investigate a series of crimes said to have been committed by elected state officers and others including but not limited to sexual battery/assaults, attempted rape, criminal libel, the spreading of false and malicious rumors, conspiracy, bribery, attempted bribery and conspiracy against the state. An indictment for a crime might lead to felony and misdemeanor convictions for sexual battery/assaults, attempted rape, criminal libel, the spreading of false and malicious rumors, conspiracy, bribery, attempted bribery and conspiracy against the state, and removal from office on allegations that include: HABITUAL or WILLFUL NEGLECT OF DUTY; GROSS PARTIALITY IN OFFICE; OPPRESSION IN OFFICE; CORRUPTION IN OFFICE; and WILLFUL MALADMINISTRATION. The detailed allegations are public documents, filed in the District Court of Oklahoma County as GJ-2019-1.

WARNING: It is a felony for anyone to sign a petition for the convening of a grand jury with any name other than his own, or knowingly to sign his name more than once for the convening of a grand jury, or to sign such petition when he is not a legal voter of the county. 22 OS § 311.1

PRINTED NAME	SIGNATURE	ADDRESS WHERE REGISTERED TO VOTE
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STATE OF OKLAHOMA)

Albert Gerhart
Citizen/Petitioner

) ss.

COUNTY OF Oklahoma)

Albert Gerhart being first duly sworn, states that he is the Citizen/Petitioner in the above styled and numbered cause, that he has read the above and foregoing document and the facts contained therein are true and correct, to the best of his knowledge, information and belief.

SUBSCRIBED and SWORN to before me, the below signed Notary Public on this day of. ,
2019.

Notary Public

My Commission Expires:

NOTARY PUBLIC
STATE OF OKLAHOMA
COMMISSION #
MY COMMISSION EXPIRES