

5,316 weeks, since the 1921 Tulsa Race Massacre

JAMES DALE CARTER was 6 months old when his family's home was destroyed by the white mob. His mother, Rosella Carter, carried him 40 miles on her back to safety.

It's long overdue for the criminals who destroyed the Historic Greenwood District in 1921 to be held accountable. Each week we remember survivors or descendants.

OKLAHOMA GOP-LED HOUSE

Tulsa Public Schools stands to lose millions of dollars in public funding

By JOHN NEAL

The Oklahoma Republican House leadership this week pushed through a sweeping financial incentive package totaling \$800 million that would redirect taxpayers' dollars to help public school families send their children to private schools. The legislation – House Bill 1935 that was authored by House Speaker Charles McCall – would provide "refundable tax credits" up to \$5,000 for each student attending a private school or \$2,500 to families homeschooling children. McCall of Atoka rolled out his bill, called the Oklahoma Parental Choice Tax Credit Act, at a press conference he held last week with House Common Education Chairwoman Rhonda Baker (R-Yukon).

SCHOOL CHOICE On A3

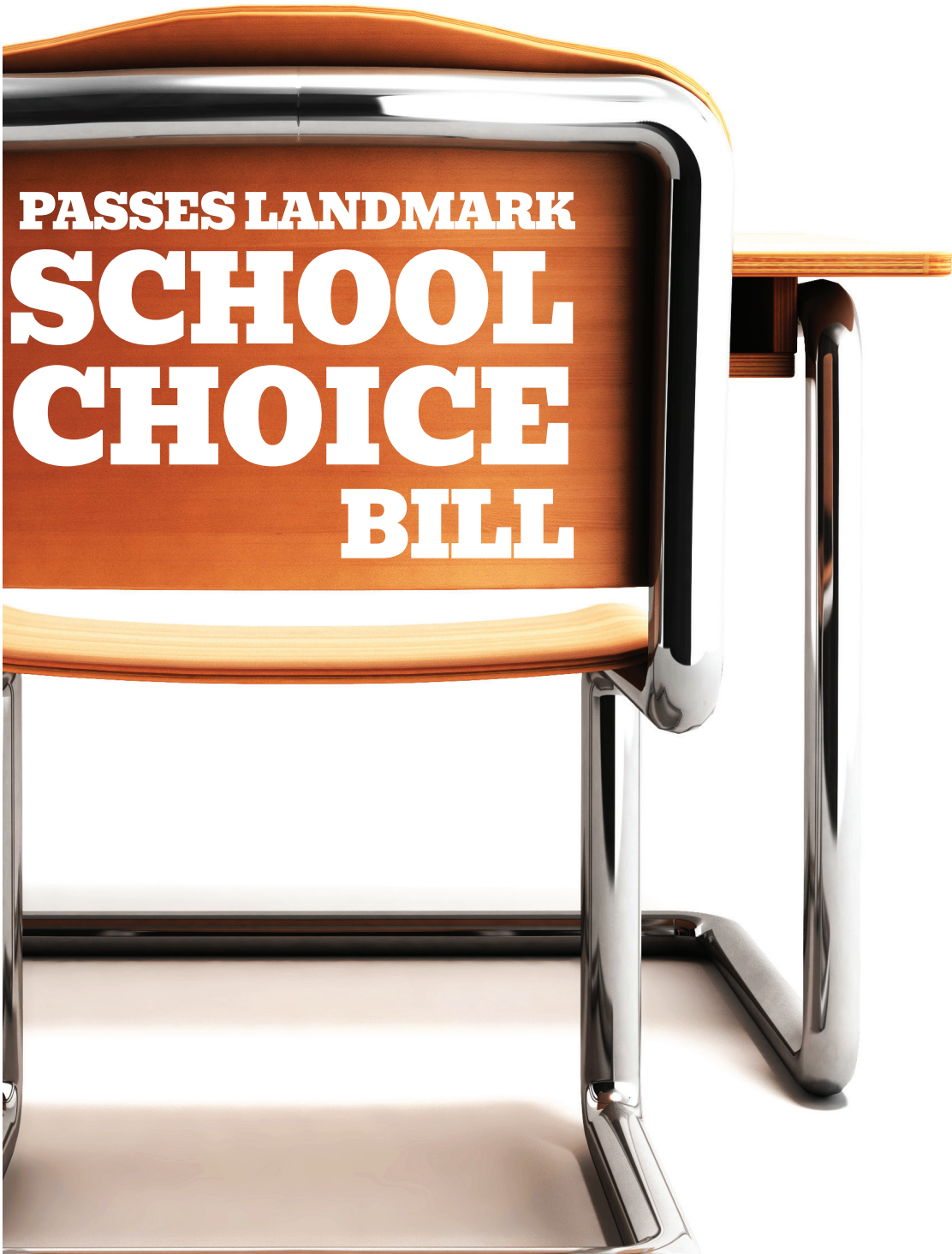


PHOTO ADOBE STOCK

STATE

'YOU ARE NOT WELCOME': WITHOUT SHELTER, RESOURCES LIMITED FOR UNHOUSED

By JOE TOMLINSON, NONDOC

When people experiencing homelessness in Edmond are encountered by police, the situations typically culminate in one of three results: a brief conversation without intervention, a possible offer of transportation to Oklahoma City for social services, or an

WITHOUT SHELTER On A5

STATE

OKLAHOMA CONSIDERS STIFFER PETITION REQUIREMENTS FOR STATE QUESTIONS

By KEATON ROSS, OKLAHOMA WATCH

Since 2016, Oklahoma voters have made sweeping changes without the Legislature's input. Using state questions, they have voted to reclassify some felonies to misdemeanors, legalize medical marijuana and extend health insurance to an estimated 300,000 poor Oklahomans.

STATE QUESTIONS On A6

STATE

MAKE GREENWOOD DISTRICT A NATIONAL MONUMENT, PAY REPARATIONS

By DAVID BARTLE, NONDOC

TULSA — Multiple panelists called for reparations to be paid to three living Tulsa Race Massacre survivors and their descendants and said the historic Greenwood District should be declared a national monument during an event hosted Saturday by the

REPARATIONS On A8

LOCAL

ERNESTINE DILLARD, KNOWN AS 'THE VOICE WHO HELPED HEAL THE NATION,' DIES

Ernestine Dillard: August 25, 1941 - February 16, 2023

By THE OKLAHOMA EAGLE

TULSA – Ernestine Marcus Buntyn Dillard, who spent three decades as a registered nurse but whose gift as a self-trained singer led her to perform first in church choirs and later at some of the most treasured venues in the United States and Europe, and before three U.S. presidents, died Thursday, Feb. 16, at Hillcrest Medical Center in Tulsa, following a lengthy illness. She was 81.

ERNESTINE DILLARD On A13

STATE

OKLAHOMA OFFICIALS WARN NEW WOTUS RULE POSES COMPLICATIONS FOR FARMERS



PHOTO ADOBE STOCK

By NOAH MACK, NONDOC

WASHINGTON — Oklahoma officials are challenging a new rule that expands federal regulation of water bodies over concern for its effect on the nation's farmers.

WOTUS RULE On A9

STATE

Seeking \$30 million for Food Deserts, Innovative Grocery Store Proposal Faces Oversight Questions

By TRES SAVAGE AND BENNETT BRINKMAN, NONDOC

A proposal to provide a nonprofit organization \$30 million of federal American Rescue Plan Act funding to build four grocery stores in underserved areas is receiving additional review by Oklahoma legislators owing to questions about the nonprofit's governance board, the executive director's stake in for-profit companies potentially associated with operation of the planned stores,

FOOD DESERTS On A14



PHOTO COURTESY OF ERNESTINE DILLARD'S FAMILY



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SCHOOL CHOICE *from AI*

On Wednesday, Feb. 22, McCall and his GOP House colleagues made good on his proposal by ushering H.B. 1935 through a 75-25 vote, despite five Republicans joining 20 House Democrats in opposition.

In Wednesday’s session, state lawmakers also approved a much lesser financial outlay for increases to public schools funding. It calls for \$2,500 teacher pay increase – what opponents characterize as “meager” – for Oklahoma’s nearly 60,000 public school teachers. The package for public schools includes a district discretionary fund – or as McCall called it a “bucket of money” – that dramatically shortchanges the state’s largest school districts, including the biggest Tulsa Public Schools. That bill, H.B. 2775, also passed the Oklahoma House 78-20. Both measures now go to the Oklahoma Senate, where the GOP holds a supermajority, 40-8, over Democrats.

The two education bills would have to pass the Senate and be signed by Oklahoma Governor Kevin Stitt before becoming law. Stitt has already voiced support for them.

Public funds for private schools and homeschooling

Under the proposed Oklahoma Financial Choice Tax Credit Act, McCall said the refundable tax portion of the bill “would be retroactive to January 1, 2023.” He added that the private school and homeschooled reimbursement benefits include tuition, fees, tutoring or “anything that is academically related.”

According to the national private school advocacy group EdChoice, 37,644 students attend private schools in Oklahoma. That number represents approximately 5% of the 701,258 students enrolled in the state’s 509 public school districts.

In addition, the refundable tax credit plan applies to those families with no or little Oklahoma state tax liability. According to McCall, these tax filings would result in a refund. He estimated the Tax Credit Act would cost “up to \$300 million.”

But unlike public school funding, the commitment is open-ended. It is believed by critics that this large tax incentive could increase the numbers of students currently attending private schools from the annual roughly 5% in Oklahoma to near the national average of 10% (Private School Review). The increase would, in turn, drive up the cost budgeted for education.

Tax incentives without income limitations

Financial aid taken from public funds for students to attend private schools can involve

“Even with the \$300 million included in H.B. 2775, there is not enough funding in the system for students who need and deserve our support the most.”

Drew Druzynski, Tulsa Public Schools’ Media Relations Manager

a variety of options. The most common are vouchers, education savings accounts and scholarship tax credits. But many, if not most, of these publicly-funded programs are for students with either disabilities or have income limitations. A December 2021 survey by U.S. News & World Report on “school vouchers and tax relief programs” concluded that “most programs target low-income families in an effort to provide parents with additional education choices.”

But this legislation and two more proposals in the Oklahoma Senate provide for education savings accounts that have no income limitations of families and are open to everyone. The GOP-backed Senate bills would disburse an amount equal to 100% of state funding for public education per student attending private schools.

Because they are not “tax credit” programs, the legislation has been criticized as potentially diverting money from public school funding. H.B. 1935 seeks to thwart this potential criticism, with McCall noting, “we are not pulling funds from appropriated funds for public education.”

However, whatever “bucket of money” is used – as McCall refers to the funding pool – these are all taxpayer public funds being made available for private and homeschooling that could be used to finance Oklahoma’s public education system.

Meagerteachers’payincreases

H.B. 2775 is the companion bill to H.B. 1935 and was approved by the Republican-dominated House. It would increase teacher pay by “\$2,500 per active classroom teacher for the 2023-24 school year.”

This increase is half the \$5,000 initially proposed by the Oklahoma State Department of Education (OSDE) and unanimously approved by the State Board of Education (OSBE) in September 2022. The OSDE’s professional staff told the seven-member state board that the \$5,000 amount was necessary to “stem worsening teacher shortages” and become competitive among the state in the region.

Earlier this year, Stitt replaced four of the board members with people who aligned to

his political philosophies on public education. The newly elected Superintendent of Public Instruction Ryan Walters has championed the OSBE to reverse their previous action and delete the \$5,000 pay increase from their budget request. Both Stitt and Walters have supported “school-choice” and made vague proposals for “teacher incentive pay.”

However, McCall said, “Stitt is supportive of this plan and excited about it.”

Oklahoma teachers last had a state-sponsored pay increase in 2019. Districts may provide other small step increases to teachers based on experience and qualifications. Since then, the cumulative inflation rate increase has been 17.02%, according to the Bureau of Labor Statistics. To illustrate the impact inflation had on teachers’ pay: a Tulsa Public Schools teacher making \$40,000 in 2019 – the district’s average starting annual salary – had inflation erode their purchasing power by \$6,808 compared to the lawmakers’ now proposed \$2,500 salary increase. The GOP-sponsored House legislation also would not increase the state’s \$36,601 minimum starting salary, which in 2021 ranked Oklahoma 39th nationally in average salary, according to the National Education Association.

Another ‘bucket’ where TPS gets little

H.B. 2775 also creates a \$300 million fund “to be distributed to public school districts based on average daily membership of the preceding school year.” This dollar amount is equivalent to the estimated reimbursement cost of private and homeschooled spending. But 701,258 students attend public schools statewide, while an estimated 60,000 students either attend private schools or are homeschooled. So, comparing the two funds, private and homeschooled students would receive more than 10 times the new financial benefits over public school students on a per-pupil basis.

Moreover, the GOP-driven legislation caps large district benefits stating, “but in no event shall any district receive more than two million dollars.”

Tulsa Public Schools respond

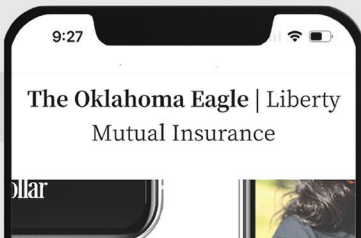
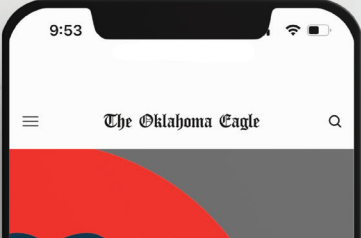
As the state’s largest school district, Tulsa Public Schools’ funding would be severely reduced under the new bills being considered by lawmaker. When asked about cap provision, Drew Druzynski, TPS’ media relations manager, released a statement to the Oklahoma Eagle.

“Even with the \$300 million included in H.B. 2775, there is not enough funding in the system for students who need and deserve our support the most,” the statement noted. “The \$2 million cap creates unfair distribution that hurts our most vulnerable children. H.B. 2775 creates an illusion of additional aid. But in truth, Tulsa – the state’s largest district with nearly 34,000 students – would get the same portion of the additional aid as Ponca City – a district serving 4,000 students.”

The TPS statement also accused Oklahoma’s political leaders of “playing games” with the new funding. If the \$300 million were written to treat all students equally, TPS would receive approximately \$14.5 million, not \$2 million. This difference would be roughly \$430 if the funds were equally distributed per student versus \$59 with Tulsa’s \$2 million cap. So, under the GOP scheme, TPS will get only \$59 in additional aid per year for each of its 33,871 pupils.

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To amplify our core value of equity, through journalism and editorial” is the cornerstone of our continued success.





# Frederick Douglass Moon

By WILLIAM D. WELGE, THE ENCYCLOPEDIA OF OKLAHOMA HISTORY AND CULTURE

**M**oon was born on May 4, 1896, at Fallis, Oklahoma Territory. Son of Henry Clay and Pollie Twiggs Moon, Frederick Moon was educated in the segregated schools of Lincoln County, Oklahoma.



Because there was no high school for African Americans near his home, he entered Oklahoma Colored Agricultural and Normal University (now Langston University) in the ninth grade, and he completed high school and two years of college there. In 1929 he earned a Bachelor of Science degree. He earned a Master of Arts degree at the University of Chicago in 1938. During his time at Langston he led an effort to develop a memorial to Inman Page, the college’s first president.

Moon began his teaching career in 1921 at Crescent, Oklahoma, and he helped the school gain accreditation. In 1929 the Oklahoma Association

of Negro Teachers elected him as president. In 1931 he taught in and was principal of Wewoka Douglass High School, and he again assisted a school in gaining accreditation with the North Central Association. Moon married Leoshia Harris, of Oklahoma City, on August 28, 1935. In 1940 he moved to Oklahoma City and became principal of Douglass High School. He continued in that position until 1961. Considered the “dean” of African American education, he was elected to the Oklahoma City Board of Education in 1972 and served as its first African American president in 1974. He served at a time when federally mandated desegregation

occurred within the Oklahoma City Public School System. During this period the school district carried out a program of busing students across town in order to bring racial equality to the schools.

Moon was also a civic leader in the community. He served as a director for the YMCA. He was variously president of the Oklahoma City Urban League, the Langston Alumni Association, and the Oklahoma Association of Negro Teachers, and he was a member of the National Education Association. He was vice president of the National Association of Secondary Principals and of the American Association of

School Administrators and served on the mayor’s Human Relations Commission and the Urban Renewal Authority. The Oklahoma School of Religion at Langston awarded him an honorary doctorate in humanities. His publications included Organization and Administration of High School for Negroes in Oklahoma, A Fifth Freedom for the Negro, and Teacher Integration in the Border States. He resigned his position with the board of education due to declining health in December 1974. Frederick Moon died on December 16, 1975, in Oklahoma City.

**THE OKLAHOMA HISTORICAL SOCIETY** is an agency of the government of Oklahoma dedicated to promotion and preservation of Oklahoma’s history and its people by collecting, interpreting, and disseminating knowledge and artifacts of Oklahoma.

F. D. MOON Junior High School Band, 1958

## Featured Last Week



Cherokee Nation Announces Plans For \$18 Million Treatment Center



Remember When the U.S. Sterilized Black People?



Black Male Teachers Represent 2% of Education Workforce

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### Contact

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PHOTO MICHAEL MCNUTT



PEOPLE EXPERIENCING HOMELESSNESS IN EDMOND took refuge from the summer heat in a green belt near 15th and Kelly.

*“You’re on someone else’s property, sir. You’re not minding your own business. This is not your property.”*

**- Edmond Police Department Officer**

**WITHOUT SHELTER** *from AI*

arrest and detention at the Edmond Municipal Jail.

That’s because, historically, Edmond has had no shelter to accommodate homeless people, even on an emergency or temporary basis. When temperatures drop below freezing, the Edmond Police Department will offer rides to OKC for shelter and more robust access to resources.

But starting next month, Edmond’s resources for people experiencing homelessness will improve, at least a little. NorthCare, a mental health service provider, is planning to open a temporary clinic at East 9th Street and Bryant Avenue to provide care for those recovering from mental illness, substance use, trauma or crisis. Anyone seeking services can be seen by mental health professionals at NorthCare, regardless of insurance status or ability to pay.

Such services could have been helpful in August, when two Edmond police officers were dispatched to the Edmond Church of Christ in reference to “a suspicious subject,” according to a report filed by EPD Officer Ben Daves. Upon arrival, Daves and another unidentified officer found Zachary Campbell lying next to an empty bottle of vodka.

“What about getting drunk and passing out over here in front of a church seems like a good idea?” one officer asked the man, according to body camera footage.

The man replied, “I’m minding my own business,” to which the officer said, “You’re on someone else’s property, sir. You’re not minding your own business. This is not your property.”

“This is God’s property,” Campbell said. The officer directed him to stand up and put his hands behind his back. Slurring his speech and exhibiting signs of potential psychosis, the man claimed the two officers were the FBI.

In response, the other responding officer told Campbell he needed to

“find somewhere else to go.”

“I told you you weren’t welcome in the city limits anymore, too,” the officer said. “You are not welcome in the city of Edmond anymore. You need to find somewhere else to go. I made that clear last time.”

Prior to Campbell’s arrest for public intoxication, EPD had already arrested him four times in 2022 — twice for public intoxication and twice for trespassing after being warned.

Owing to his “lengthy criminal history,” the police report states, a misdemeanor charge for public intoxication was filed in Oklahoma County District Court rather than in Edmond Municipal Court.

He previously pleaded guilty to burglary in the second degree after stealing a GPS from a car in 2014. After his plea, the man’s sentence was deferred, and he was committed to the Oklahoma Forensic Center in Vinita. In 2019, former Oklahoma County District Attorney David Prater dismissed Campbell’s 2014 case “in the best interest of justice” after he completed a program with Oklahoma County Community Sentencing.

In response to the August arrest footage, Edmond Police Chief J.D. Younger said he hopes the officer’s statement that Campbell is “not welcome in the city of Edmond anymore” was “at best, poor communication.”

“We don’t prohibit anyone from being in town,” Younger said. “It’s not law enforcement’s job to do that. We’re not accepting that role to accept or not accept people in town. Everyone is welcome here.”

However, Younger said his officers do respond to behavioral issues that are reported by Edmond residents.

“There is a standard of expectation, and it’s not the police department’s standard. It’s the community standard, and we do play a role in that,” Younger said.

Younger said people experiencing homelessness who are arrested in Edmond are given advisement of available resources that they can access, such as meals provided at First

**In total for 2022, 83 people who identified as homeless were arrested once, while 48 people were arrested multiple times.**

Christian Church and the Ministries of Jesus free clinic.

However, with no residential shelters and limited behavioral health services in Edmond, the unhoused are most commonly encountered by police, who routinely and repeatedly arrest them for minor offenses.

**‘We have essentially criminalized homelessness in Edmond’**

In 2022, the Edmond Police Department made 288 arrests of 131 people who self-identified in booking reports as “homeless” or “unhoused.” On Jan. 12, NonDoc requested that the City of Edmond provide a summary of bonds, fines and booking costs related to homeless arrests in 2022, but that data was not made available prior to the publication of this article.

Edmond Municipal Court Judge Diane Slayton said she refuses to issue “failure to pay” warrants for low-income or homeless individuals seen in her courtroom.

“I’ve never done a failure to pay warrant on any. Never,” Slayton said. “It doesn’t do any good. It doesn’t serve any purpose, and it’s certainly not justice.”

In total for 2022, 83 people who identified as homeless were arrested once, while 48 people were arrested multiple times. Five people accounted for 19 percent of homeless arrests in 2022. Largely, these arrests are for criminal charges such as trespassing, public intoxication or failing to appear for a court hearing related to a previous charge — infractions reflected by the reality of living on the streets.

With its population increasing about 16 percent between 2010 and 2020, Edmond is the fastest-growing large city in Oklahoma, but the city’s housing is scarce. If that trend continues, the number of people experiencing homelessness in Edmond is likely to increase, although available data about Edmond’s unhoused population provides only limited information.

During a 2021 point-in-time

count, a one-night snapshot census of homelessness in a community, only two people were identified. In 2022, 11 people in Edmond were identified as experiencing homelessness. In 2023, that count increased to 14. The one-night count is conducted each year by the city’s community block development grant team in conjunction with EPD and community volunteers, but the relatively low numbers stand in contrast to EPD arrest figures.

Some Edmondites are concerned the city is not doing enough to provide for the homeless population and, instead, could be criminalizing homelessness.

An Edmond resident, private investigator and former public defender, Shaun Hittle routinely tweets about EPD’s arrests of unhoused individuals when weekly booking reports are released.

“We have essentially criminalized homelessness in Edmond. It is pretty much illegal to be homeless in our community,” Hittle said. “These arrests — public intoxication, trespassing, failure to appear on misdemeanor warrants — these are all judgment calls. These are all situations where an officer could almost arrest every homeless person every day, if they wanted.”

Hittle said that because those experiencing homelessness are often unable and unlikely to show up for court dates, police end up repeatedly arresting homeless people on failure to appear warrants.

“They’re oftentimes not going to show up to court, and so they are always going to have a warrant out on them,” Hittle said. “And that’s what you see in the data is that these people, every time the police come in contact with them, they could arrest them. And oftentimes, they are.”

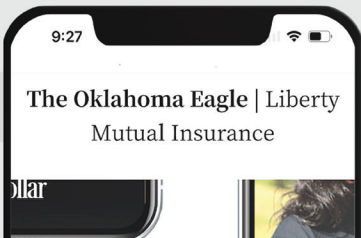
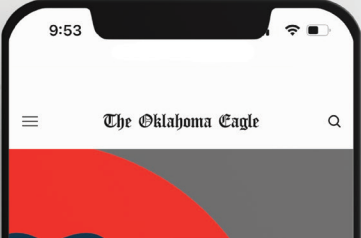
Younger disagreed with the sentiment that homeless individuals are more susceptible to public intoxication charges because of their lack of housing, saying that in these situations, “there’s probably a precipitating action or a call that necessitated contact.”

**WITHOUT SHELTER** *On A7*

The Oklahoma Eagle

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AMBER ENGLAND, who ran the successful Medicaid expansion campaign that voters approved in June 2020, said she's concerned that a bill advancing in the state Senate would create greater scrutiny over honest mistakes in the signature collection process. Sen. Julie Daniels' proposal raises the bar on signature verification, from three to four data points matching against voter registration data.

“For us, it’s the way that they operate and employment decisions”

- Oklahoma Department of Veterans Affairs employee

STATE QUESTIONS from AI

On March 7, voters — not state lawmakers — will decide whether to legalize recreational marijuana for adults 21 and older.

Several bills sponsored by GOP lawmakers would restrict the state’s initiative petition process. Most would ultimately require voter approval.

Sen. Julie Daniels’ proposal to make petition drives more costly and easier to disqualify would not go before voters if it clears the Legislature because it does not modify the state constitution. Republicans pushed it through the Senate Judiciary Committee on an 8-3 party-line vote, making it eligible for consideration on the Senate floor.

Senate Bill 518 gives those seeking to challenge a petition twice as much time to protest — from 10 to 20 business days. It makes applying more costly by adding a \$750 administrative fee. It also raises the bar on signature verification, from three to four data points matching against voter registration data.

Initiative petition organizers and voting rights advocates fear the bill would have a chilling effect on initiative petition efforts, particularly those without the money and manpower necessary to fend off prolonged legal challenges.

Amber England, who ran the successful Medicaid expansion campaign that voters approved in June 2020, said she’s concerned there would be greater scrutiny over honest mistakes, such as a voter writing their nickname instead of a legal name on a petition form. That could compel organizers to collect an even greater excess of signatures, England said.

For instance, the Medicaid expansion campaign submitted more than 300,000 signatures to meet a requirement of 177,958 valid signatures.

“I just think they’re trying to make the bar so hard that it’s nearly impossible to do it,” said England, who

runs Strategy 77, a public relations and consulting firm that caters to campaigns and advocacy efforts. “But for them, are they changing the process for how they get to put things on the ballot through a referendum? To me, it just smacks of we don’t trust you, voters.”

Daniels contends the changes are necessary to assure voters that the state’s verification process is as secure as possible. During a Feb. 7 committee hearing, she said there is not necessarily a flaw with the state’s current verification process but cited concerns about some signatures being falsified. She also called Oklahoma’s initiative petition process relatively liberal compared to other states.

Daniels ran unopposed to represent District 29 in 2020 and is eligible for reelection in 2024. Among the legislation she has authored this season is a measure highlighting that abortions are legal to preserve the mother’s life in a medical emergency, and in cases of rape, sexual assault, or incest of a minor that’s been reported to law enforcement. Her bill banning gender-affirming care for minors passed the Senate.

“It behooves us to make sure this system is as reliable as possible for the citizens,” Daniels said of her petition legislation. “Tightening up the process at the front ends yields a better product when you go to the polls.”

Initiative petition organizers point to safeguards during signature collection as helpful in preventing fraud. Under criminal penalty, circulators are required to sign an affidavit before a notary public swearing that they witnessed each signature. Some campaigns hire auditors to evaluate the performance of circulators as they collect signatures.

Oklahoma also has one of the tightest signature collection deadline requirements in the nation among states that allow voter-led initiatives, reducing the likelihood that a voter will mistakenly sign a petition more than once. Initiative groups are

The ODVA drama and governance questions have boiled over at recent meetings as the new members of the commission have attempted to learn more about the delays

required to collect the necessary number of signatures within 90 days of the protest period expiring or the state Supreme Court confirming the constitutionality of the measure. Proposed constitutional amendments must receive signatures equal to at least 15% of votes cast in the most recent gubernatorial election. Initiated state statutes require 8% and veto referendums 5% to make the ballot.

Just nine voter-initiated petitions have made it to the ballot in Oklahoma since 2010, with voters approving five and rejecting three of the measures. Early voting begins Thursday on State Question 820, which proposes legalizing recreational marijuana for adults 21 and older.

Since 2016, seven out of eight initiative petition groups have used at least some campaign funds to hire signature collectors at an average cost of \$8.27 per required signature. (Story continues below)

Andy Moore, chief executive officer of the nonpartisan civic engagement organization Let’s Fix This and former campaign manager for an unsuccessful initiative effort to establish an independent redistricting commission in Oklahoma, said the initiative petition process has historically acted as a check of power on the Legislature. In some cases, lawmakers themselves have organized initiative petition efforts when unable to settle an issue with members across the aisle.

Moore said Senate Bill 518 would put grassroots groups at a disadvantage. While most recent state question efforts have relied on in-state contributions, a handful were propelled by out-of-state donors, according to an Oklahoma Watch analysis of campaign contributions published last year.

“You don’t want it to be only the super well-funded groups that can do initiative petitions,” Moore said. “That’s why it’s in the constitution for the people of Oklahoma to do. But they’re making it so we can’t.”

Efforts to restrict the initiative petition process are not unique to Oklahoma. Fearing that abortion rights supporters will rally to place measures on the ballot, Republican lawmakers in Ohio, Florida and Missouri have passed resolutions asking voters to approve new signature collection requirements or increase the threshold for initiatives to pass.

But the outcome of a recent state question in Arkansas raises questions about voters’ appetite for stricter initiative petition requirements. Nearly 60% of voters in the Republican-controlled state decided against Arkansas Issue 2, a legislatively-referred initiative that proposed raising the threshold for proposed constitutional amendments and citizen initiative petitions from a simple majority to a three-fifths supermajority, last November.

Moore said that vote could signal to Oklahoma lawmakers that clamping down on initiative petitions is not worthwhile.

“They [voters] openly see it as an attack to the petition the government,” Moore said.

Five initiative petition efforts are active within the Secretary of State’s office, including two questions that have a signature collection deadline of March 3 at 5 p.m. Unlike some states, Oklahoma does not set a deadline for counting and verifying signatures.

Since 2021, the Secretary of State’s office has outsourced signature verification to Western Petition Systems LLC, a company owned by SoonerPoll founder Bill Shapard. Unusual delays in verifying signatures for State Question 820 last summer caused the initiative to miss the November general election ballot and led some observers to question the fairness of the new process.

KEATON ROSS is a Report for America corps member who covers democracy for Oklahoma Watch. Contact him at (405) 831-9753 or Kross@Oklahomawatch.org. Follow him on Twitter at @\_KeatonRoss.



PHOTO JOETOMLINSON



THE EDMOND PUBLIC SAFETY CENTER IS LOCATED AT 24 E. FIRST ST. is located at 24 E. First St.

# “They monitor the areas where we have individuals that may need shelter...”

- Christy Batterson, Oklahoma City community development block grant program manager

**WITHOUT SHELTER** *from A5*

“The reason you could go home if you’re publicly intoxicated and have a home is because you made a decision not to take an action that would bring you in contact with police,” Younger said.

NonDoc also requested that the City of Edmond provide data breaking down 2022 EPD arrests of people who self-identify as homeless by whether the encounters are officer-initiated or in response to dispatch calls. The information was not provided prior to the publication of this article.

## ‘Trying to figure out what is the best thing to do’

When temperatures drop below freezing, Edmond police offer those experiencing homelessness rides to OKC for shelter and more robust access to resources.

“They monitor the areas where we have individuals that may need shelter,” said Christy Batterson, the city’s community development block grant program manager. “Those that are most vulnerable, they provide resources and, if need be, provide rides down to the Oklahoma City shelters, if requested.”

OKC has 850 beds across its shelter system. A 2022 point-in-time count found 1,339 people in OKC experiencing homelessness. A report from the U.S. Department of Housing and Urban Development found that, between 2020 and 2021, the state of Oklahoma saw a 19 percent decrease in bed availability for the unhoused, the largest percentage drop in the country.

Dan Straughan, executive director of the Homeless Alliance in OKC, said a homeless and mental illness committee focused on Edmond meets quarterly and is chaired by Younger. During the pandemic, Straughan said that group “fell by the wayside,” but it started meeting once again in 2022. That group is not a formal committee established by the city.

“I think there’s a recognition that the City of Edmond is maybe relying on neighboring municipalities to bear the burden and recognizing maybe that’s not entirely appropriate,”

Straughan said. “But [they’re] trying to figure out what is the best thing to do. When you’re starting from scratch, it’s challenging.”

Straughan said a “Band-Aid solution” for homelessness-related arrests would be to provide a residential shelter in Edmond, so that those experiencing homelessness have a place they can legally reside.

“In Edmond, it can be pretty small and pretty low impact on the rest of the community, because wherever you put it in Edmond, there’s going to be pushback from NIMBY (not in my backyard) people,” Straughan said. “But if you have the law enforcement, the city manager’s office and the service provider community saying, ‘As a community, we have an obligation to provide this and we’ve looked all over the city, and this is the best place for it,’ and (they) present a united front, then you can make that happen.”

Straughan said a longer-term solution, which applies for both Edmond and Oklahoma City, is to incentivize the development of “truly affordable housing.”

“(We need) public housing or more Section 8 vouchers and incentivizing developers, especially multifamily developers, to set aside some percentage of total units developed for very low-income and low-income people,” Straughan said.

Straughan said Oklahoma City’s continuum of care housed about 14,000 homeless individuals throughout 2022, but those numbers keep increasing.

“What’s driving that more than anything else is just the lack of affordable housing compared to the level of poverty in the community,” Straughan said.

## Chapman: ‘This is not a police problem’

Ward 1 Edmond City Councilman David Chapman, a developer who serves on the homeless and mental illness committee with Younger, said incentivizing affordable, multifamily developments is improbable in the city. Chapman and Ward 2 Councilman Josh Moore, another property developer, have been vocal advocates for adding

**“The first step is to understand them as individuals and try to help them individually. Every one of them has got a different story, and they are all in a different place, so you can’t treat them all in a difference place.”**

**David Chapman,  
Ward 1 Edmond City  
Councilman.**

affordable housing in Edmond, but their efforts have faced community opposition.

“Do you actually think that can happen in Edmond?” Chapman said. “They just don’t want it. They don’t want affordable housing here.”

Similarly, Chapman said he would expect some Edmond residents to protest the construction of a homeless shelter in the city. Chapman said he is unsure whether shelters alleviate or exacerbate homelessness in a community.

“If you look at the models, and I think they can look at Norman as a model, they did not have a huge homeless problem until they built that shelter,” Chapman said. “It’s an interesting dilemma. Shelters are attractions, so I don’t know if it takes care of your problem that you currently have or if it grows the problem.”

Chapman said Edmond’s homeless and mental illness committee has started a database that identifies chronically homeless individuals within the community and the services they need. Currently, there are 18 people within that database.

“The first step is to understand them as individuals and try to help them individually. Every one of them has got a different story, and they are all in a different place, so you can’t treat them all identical,” Chapman said. “And then you have got to get the expertise involved, and that’s what we are trying to do with the (NorthCare) partnership.”

While NorthCare is opening a temporary location at West 9th Street and South Bryant Avenue, the community mental health center already has purchased a permanent location at 15th Street and South Kelly Avenue that is expected to open in December. The Edmond City Council has allocated \$1.45 million in American Rescue Plan Act funds to renovate the permanent facility.

At the beginning of 2022, EPD had two NorthCare case managers embedded within the department who helped those who came in contact with police find resources and co-respond to suspected mental health crises alongside officers. However, those two employees have since accepted jobs elsewhere, Younger said.

If given the opportunity to hire case managers to embed within the department again, Younger said EPD would “take advantage of that,” but he said such professionals are in high demand.

“We would love to continue to have that resource embedded, but what we’d love more is just the community to have access to it,” Younger said. “If the best way for the community to have access to it is through the planned outpatient treatment services, well then that’s the best way to do it and we’ll work within that framework.”

Chapman noted that the issue of homelessness in Edmond is one that the community must solve collectively, rather than leaving for police to handle.

“This is not a police problem. This is a societal problem,” Chapman said. “It’s an obligation, frankly, that we have got to take care of and we have got to figure out, and the police are stuck with it.”

Younger praised the community for its involvement on the issue.

“Maybe it’s inappropriate for society to view (the homeless) as a law enforcement problem, but I think in Edmond, the community really has taken the lead, and I feel like the police department is just a part of a larger coalition,” Younger said. “We may be more visible because we are taking calls and we’re checking on people. But I don’t believe that our community has made it a law enforcement problem. I believe our community is recognizing it’s a concern for the community, and that we need to work together to make sure we have services available for people that find themselves in these conditions.”

**JOSEPH TOMLINSON** graduated from the University of Oklahoma with a journalism degree in 2021. After covering politics in Washington, D.C. for Gaylord News, he completed a NonDoc internship and joined the newsroom as a staff reporter in 2022, predominantly covering the community of Edmond, Oklahoma. He is a corps member of Report for America. Send tips and story ideas to [joe@nondoc.com](mailto:joe@nondoc.com).



# “Building Power in Black Tulsa: What It Means and How We Get There”

REPERATIONS from AI

Congressional Black Caucus Foundation in Tulsa. The event, called “Building Power in Black Tulsa: What It Means and How We Get There,” featured a panel conversation consisting of five Black political, business and nonprofit leaders in Tulsa. The dialogue focused on the past, present and future of Black Tulsans and included topics such as economic mobility, generational justice and liberation.

Legislators, policymakers, activists, and community members attended filed the Booker T. Washington High School auditorium in north Tulsa.

“Where else would we be other than in Tulsa? We’ve been in other cities across the nation such as Detroit, Michigan, and we’re very happy today to be here with you in Tulsa,” CBCF president and CEO Nicole Austin-Hillery said.

The Congressional Black Caucus Foundation is a Washington D.C.-based, nonpartisan, nonprofit policy and education foundation.

Participants included Oklahoma state Rep. Regina Goodwin (D-Tulsa), Tulsa City Councilor Vanessa Hall-Harper, Black Tech Street founder Tyrance Billingsley II, attorney and Justice of Greenwood founder and executive director Damario Solomon-Simmons, and Women Empowering Nations founder and executive director Carlisha Williams Bradley.

The panel was moderated by Terence Crutcher Foundation founder Tiffany Crutcher, whose twin brother was shot and killed by Tulsa Police Department officer Betty Shelby in 2016.

## The heart of Black Oklahoma

The Congressional Black Caucus Foundation event discussed the impact of the Tulsa Race Massacre, which occurred in the city’s Greenwood District in 1921. Over a century later, Tulsa remains significantly racially segregated, and Greenwood survivors’ and descendants’ pursuit of justice remains unresolved.

“All of us that live here in Tulsa, all of us that are descendants of those that are not, [we] have a very special history here,” Goodwin said. “We always say that our past is our present and [we’ve been] looking at the injustices in Tulsa for a century-plus. Our past is our present and the fight continues and [it’s] the very fight that our ancestors carried.”

Tulsa’s first economic boom occurred at the turn of the 20th century, when oil was discovered. Black Americans leaving former Confederate states migrated to Tulsa and established a freedom colony in the city’s Greenwood District. Greenwood was home to a vibrant, entrepreneurial, self-contained economy, and it became known as “Black Wall Street.”

“A century later, the history of Tulsa and the Tulsa Race Massacre has re-entered the public consciousness, drawing national attention to the Tulsa community and their fight for justice,” Crutcher said. “Our fight for justice.”

Hundreds were killed and 1,250 homes were burned down in the 1921 tragedy. The exact number of deaths is unknown. The massacre decimated the district’s Black middle class and what was considered to be the richest Black community in the U.S.

“I definitely feel that the impact of 1921 is alive and well, whether we want to acknowledge it, whether we can actualize it and put words to it or not,” Williams Bradley said. “It is definitely present.”

Recently, Williams Bradley was removed from the State Board of Education by Gov. Kevin Stitt. At the time, she was the only Black member and the only member other than new Superintendent of Public Instruction Ryan Walters to have public school teaching experience.

“We’re unconsciously [and] our kids are unconsciously carrying that piece of our history. And so, there’s so much work to be done,” Williams Bradley said.

Racial disparities exist in Tulsa with a significant divide existing between the city’s north and south sides. North Tulsa is generally described as the neighborhoods north of Interstate 244, which was built through the historic



U.S. REP. TERRI SEWELL (D-AL7) answers a question from Nicole Austin-Hillery at Booker T. Washington High School in Tulsa, Oklahoma, on Saturday, Feb. 25, 2022.

Greenwood area.

In 2019, north Tulsa was home to 41 percent of the city’s Black population, despite making up only 17 percent of Tulsa’s population, according to Human Rights Watch. The nonprofit reported the poverty rate of north Tulsa is more than double the citywide rate. Similarly, north Tulsa residents have higher rates of unemployment.

“We talked about generational wealth. There are some things called generational poverty and generational trauma, and that’s what we deal with here in Tulsa,” Solomon-Simmons said.

Solomon-Simmons is an attorney

**In 2019, north Tulsa was home to 41 percent of the city’s Black population, despite making up only 17 percent of Tulsa’s population.**

## Human Rights Watch

who has represented the remaining survivors of the Greenwood massacre.

Similarly, there are policing and health disparities between north and south Tulsa. Human Rights Watch found Black residents of Tulsa are 2.3 times more likely to be arrested than white residents. The Wall Street Journal, using 2018 data, reported that North Tulsans die up to 13 years earlier than South Tulsans.

## The fight for Greenwood reparations

Multiple panelists called for reparations to be paid to the three living Greenwood survivors and the descendants of Greenwood residents, who never received compensation for the Tulsa Race Massacre’s loss of lives, homes and businesses.

“See, the massacre was not about some Black kid touching some white kid,” Solomon-Simmons said, referring to the elevator encounter between Dick Rowland and Sarah Page. “It was about taking the land that the Black people owned. That was just the ruse.”

Solomon-Simmons, who appeared in a 60 Minutes story about the Tulsa Race Massacre, called for reparations in the form of cash payments, mental health resources and an accounting for the land Greenwood residents lost. Others agreed.

“I see reparations as an issue that must be addressed at all levels of government,” said Hall-Harper, who has represented District 1 on the Tulsa City Council since 2016. “This country, at all levels, has destroyed, tried its best and has successfully disenfranchised the African in America from society. And so, what that looks like, I’m certainly not the expert.”

Between June 1921 and June 1922, former residents filed a lawsuit against the city seeking \$1.8 million. Considered in January 2023 dollars, that number would be about \$31 million, according to the Bureau of Labor Statistics’ CPI calculator. Tulsa residents affected by the 1921 event never received restitution from the city, courts nor insurance companies.

While Greenwood did rebuild after the massacre and continued to be home to Black residents, white urban planners largely destroyed the district between the 1960s to the 1980s through urban renewal policies. The policies included eminent domain, rezoning, bulldozing and building the highway through the area. Many residents left the community.

“They’ve done it with Japanese Americans,” Solomon-Simmons

said, referencing reparations given to Japanese-Americans who were sent to internment camps during World War II.

The push to make Greenwood a national monument

In the backdrop of Saturday’s event, Oklahoma state Rep. Monroe Nichols (D-Tulsa) called on President Joe Biden to designate Greenwood a national monument.

“Greenwood’s legacy isn’t defined by the 1921 Massacre, but by the resiliency of Greenwood residents who built and rebuilt the community, which continues to thrive today,” Nichols said in a press release.

Crutcher said she and others plan to go to Washington to apply “positive pressure” to Oklahoma’s congressional delegation to designate the historic Greenwood District as a national monument.

“We just launched a huge campaign to get the president to build on his visit here two years ago, and to have him use his power to designate the historical Greenwood District as a national monument that will bring resources,” Crutcher said.

If Greenwood were to become a national monument, federal money and resources would flow into the community to preserve its history, Crutcher said.

## The challenges faced by all-Black towns

Panelists also discussed the decline of all-Black towns in Oklahoma, which once was home to around 50 communities founded by Black families. Now, only 13 remain.

“We understand that it’s done by people,” Hall-Harper said. “Unless people have the right to determine for themselves how they want to see their communities and are at the forefront of those changes, we will always be finding ourselves wondering what happened to the all-Black townships.”

“And we need to understand there

was segregation that led to those all-Black townships.”

After the Civil War and until 1920, many Black people settled in the Indian Territories and later Oklahoma for a variety of reasons, such as escaping discrimination and economic opportunity. The settlers of these towns largely consisted of people previously enslaved by the Five Tribes and later Black people leaving the Deep South.

“They weren’t wanting to hurt each other,” Hall-Harper said. “It was a collective and a cooperative economic system that was taking place.”

Historians have attributed multiple factors to the decline of Oklahoma’s all-Black towns, including economic hardships from the Great Depression and Dust Bowl. Many of these towns were in central and eastern Oklahoma with agriculture as their primary economic driver.

Solomon-Simmons said a lack of resources is continuing to cause the decline of the remaining historic communities, such as Boley, Langston Taft and Rentiesville.

“You see a lot of Native American communities around the state are actually kind of having a renaissance because they’re having so much resources being pumped into them by the nation and our federal government,” he said.

The attorney said Black Native American and Black communities do not have resources “owed” to them by the state and tribal nations. Solomon-Simmons noted that, during the COVID-19 pandemic, the Muscogee Creek Nation issued thousands of dollars to by-blood citizens — which excluded the Creek Freedmen.

“Our people continue to suffer,” Solomon-Simmons said. “That’s a great question, and we always have to keep in context that the massacre destroyed more than just the people here in Tulsa. It also gave institutions like the Creek Nation the ability to continue to destroy us because we’ve lost so much political and economic power.”

Prior to the panel discussion, Austin-Hillery interviewed CBCF board chairwoman U.S. Rep. Terri Sewell (D-AL7) about her efforts for Alabama’s Black community. Sewell also compared Tulsa to her hometown of Selma, both historic cities for Black Americans.

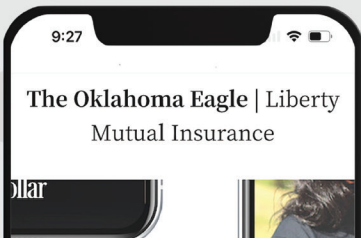
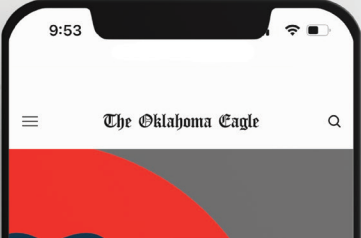
“By preserving this history, you acknowledge living history because walking among us are still people who experienced the racial violence that both Selma and Tulsa had and at the same time still have hope for an opportunity to get some restitution,” Sewell said. “Tulsa is very similar to Selma in the sense that you all are custodians of this history. Let’s make sure that we preserve it, and let’s make sure that people never ever forget.”

DAVID BARTLE is a global business journalism graduate student at Tsinghua University in Beijing and a freelance journalist based in Tulsa, Oklahoma.

The Oklahoma Eagle

## Our Mission

To amplify our core value of equity, through journalism and editorial” is the cornerstone of our continued success.







# New Rules Will Redine The Term “*Waters of the United States*” under the Clean Water Act.

WOTUS RULE from AI

This new rule, effective March 20, will redefine the term “waters of the United States” under the Clean Water Act, restoring some of the federal government’s jurisdiction over bodies of water in the country that had been removed under a Trump administration revision.

The Clean Water Act’s main objective is to prevent water pollution, but opponents of the new rule argue it’s too vague and may add financial strain for farmers who want to maintain or alter water bodies on their property.

The Oklahoma governor, attorney general, and members of the Oklahoma congressional delegation are challenging the rule legally and verbally.

Oklahoma Attorney General Gentner Drummond joined 23 other state attorneys general in a lawsuit filed on Feb. 16 in a federal district court in North Dakota challenging the rule.

Sen. James Lankford (R-Oklahoma) and Sen. Markwayne Mullin (R-Westville) voted for a resolution to formally disapprove of the new rule. Senate Republicans unanimously voted for the resolution that ultimately failed to pass the Senate earlier this month.

“President Biden is replacing a clear and predictable Clean Water Act rule with a complex and overreaching Waters of the U.S. rule, which will cost Oklahomans millions of dollars in litigation and plenty of frustration,” Lankford said in a statement.

In January, Gov. Kevin Stitt joined 24 other governors in signing a letter sent to President Joe Biden asking him to halt the rule’s implementation until the Supreme Court weighs in.

A pending U.S. Supreme Court case, *Sackett v. EPA*, could clarify what method is appropriate for determining waters of the U.S. Oral arguments were heard on Oct. 3, and a decision is expected later this spring.

**The Clean Water Act’s main objective is to prevent water pollution, but opponents of the new rule argue it’s too vague and may add financial strain for farmers who want to maintain or alter water bodies on their property.**

The EPA and the Army, in announcing the new rule on Dec. 30, said it would establish a durable definition of the waters of the United States that would reduce uncertainty from changing regulatory definitions, protect people’s health, and support economic opportunity.

“When Congress passed the Clean Water Act 50 years ago, it recognized that protecting our waters is essential to ensuring healthy communities and a thriving economy,” said EPA administrator Michael S. Regan. “Following extensive stakeholder engagement, and building on what we’ve learned from previous rules, EPA is working to deliver a durable definition of WOTUS that safeguards our nation’s waters, strengthens economic opportunity, and protects people’s health while providing greater certainty for farmers, ranchers, and landowners.”

Assistant Secretary of the Army for Civil Works Michael L. Connor said the new rule recognizes the essential role of the nation’s water resources in communities across the nation.

“The rule’s clear and supportable definition of waters of the United States will allow for more efficient and effective implementation and provide the clarity long desired by farmers, industry, environmental organizations, and other stakeholders,” he said.

New rule said to put farmers in the dark

According to the new rule, many bodies of water will be subject to the “significant nexus test.” The test is applicable to any water body on private property and is used to determine if a body of water falls under federal jurisdiction. The jurisdiction is dictated by whether the water is linked to or may affect a larger body of water—such as traditional navigable waters, the territorial seas, or interstate waters.

The American Farm Bureau Federation — an insurance company and lobbying organization — believes the “significant nexus test” is ambiguous and puts farmers in the dark.

“The bright line of jurisdiction is so muddled, that landowners can’t determine for themselves if they have a jurisdictional feature on their property,” said Courtney Briggs, the American Farm Bureau Federation’s senior director of government affairs.

Rep. Frank Lucas (R-OK3) publicly denounced the new rule last December, shortly after the Environmental Protection Agency announced the rule change.

“During this time when increased agriculture production and growth are critical, the rule fails to provide certainty for America’s farmers and ranchers.,” Lucas said in a statement.

The Clean Water Act provides agricultural exemptions, but Briggs said those are ambiguous as well.

“When I have conversations with EPA and the [Army] Corps about the exemptions, I remind them that an exemption is only as good as how clearly it’s written,” Briggs said.

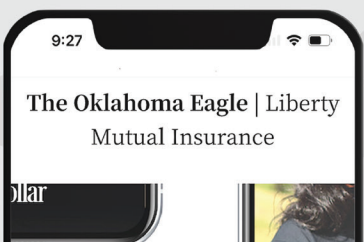
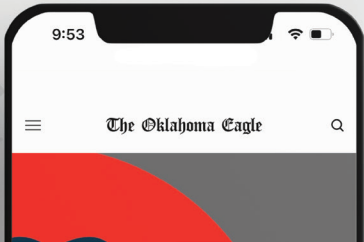
Briggs said opposition to the new rule doesn’t mean farmers want zero regulation.

“The Biden administration feels that the federal government should do more of the regulating,” Briggs said. “We feel it should be a partnership with the federal government and the state governments to protect our nation’s waters.”

The new definition of waters of the United States will replace a Trump-era definition that allowed state governments more jurisdiction over smaller water bodies.

“So, a lot of this debate is not about if it’s going to be regulated; it’s about who’s doing the regulating,” Briggs said.

Noah Mack is a journalism major in the University of Oklahoma’s Gaylord College with a minor in political science. He is a producer and reporter for OU’s student-led newscast, OU Nightly.





NOTICE

Published in The Oklahoma Eagle:  
February 17 and 24, 2023

NOTICE TO BIDDERS  
SEALED BIDS FOR  
PROJECT NO. SP 17-17 & SP 17-18

Notice is hereby given that pursuant to an order by the Mayor of the City of Tulsa, Oklahoma, sealed bids will be received in Room 260 of the Office of the City Clerk, City of Tulsa, 175 E. 2nd Street, Tulsa, Oklahoma 74103 until 8:30 a.m. the 17th day of March, 2023 for furnishing all tools, materials and labor and performing the work necessary to be done in the construction of the following:

PROJECT NO. SP 17-17 & SP 17-18  
ROOF REPLACEMENT TULSA FIRE STATIONS NO. 23 & NO. 25

The entire cost of the improvement shall be paid from Account No. 2234B00006. Buildings.FACILITY.409.4093122-541104  
2234B00024. Buildings.FACILITY.409.4093122-541104

A MANDATORY Pre-Bid Conference is scheduled for Tuesday, February 28, 2023 at 9:30 a.m. and will be held through video conferencing with Microsoft Teams, invitation presented on the City of Tulsa's website at this link: <https://www.cityoftulsa.org/government/departments/engineering-services/construction-bids/>

Attendance at the Pre-Bid Conference is MANDATORY. Bids will not be received from contractors who did not attend the Pre-Bid Conference.

Bids will be accepted by the City Clerk from the holders of valid pre-qualifications certificates from the City of Tulsa in one or more of the following classifications: A, B or S

Drawings, specifications and contract documents for construction of said public improvements of the said project have been adopted by the Mayor of said City. Copies of same may be obtained at the Office of the Director of Engineering Services at the City of Tulsa Engineering Services, 2317 South Jackson, Room 103, North Building, for a non-refundable fee in the amount of \$50.00 made payable to the City of Tulsa by check or money order.

Contract requirements shall include compliance as required by law pertaining to the practice of non-discrimination in employment.

The overall aspirational Small Business Enterprise utilization goal for this project is ten (10) percent.

Attention is called to Resolution No. 18145 of August 23, 1988, requiring bidders to commit to the goal of employing on the project at least fifty percent bona fide residents of the City of Tulsa and/or MSA in each employment classification.

Attention is called to Resolution 7404 of November 8, 2006, requiring bidders, their subcontractors and their lower-tier subcontractors to hire only citizens of the United States.

The City of Tulsa itself is exempt from the payment of any sales or use taxes, and pursuant to Title 68 O.S. Section 1356(10), direct vendors to the City are also exempt from those taxes. A bidder may exclude from his bid appropriate sales taxes, which he will not have to pay while acting for and on behalf of the City of Tulsa.

A Certified or Cashier's Check or Bidders Surety Bond, in the sum of 5% of the amount of the bid will be required from each bidder to be retained as liquidated damages in the event the successful bidder fails, neglects or refuses to enter into said contract for the construction of said public improvements for said project and furnish the necessary bonds within thirty days from and after the date the award is made.

The bidder to whom a contract is awarded will be required to furnish public liability and workmen's compensation insurance; Performance, Statutory, and Maintenance bonds acceptable to the City of Tulsa, in conformity with the requirements of the proposed contract documents. The Performance, Statutory, and Maintenance bonds shall be for one hundred percent (100%) of the contract price.

All bids will be opened and considered by the Bid Committee of said City at a meeting of said Committee to be held in the City Council Room of City Hall in said City at 9:00 a.m. on the 17th day of March 2023.

Dated at Tulsa, Oklahoma, this 17th day of February 2023.

(SEAL)  
Christina Chappell  
City Clerk

NOTICE

Published in The Oklahoma Eagle:  
February 24 and March 3, 2023

NOTICE TO BIDDERS  
SEALED BIDS FOR  
PROJECT NO. SW-2020-01-06-02

Notice is hereby given that pursuant to an order by the Mayor of the City of Tulsa, Oklahoma, sealed bids will be received in Room 260 of the Office of the City Clerk, City of Tulsa, 175 E. 2nd Street, Tulsa, Oklahoma 74103 until 8:30 a.m. the 24th day of March, 2023 for furnishing all tools, materials and labor and performing the work necessary to be done in the construction of the following:

PROJECT NO. SW-2020-01-06-02  
Towne Center Detention Pond Design

The entire cost of the improvement shall be paid from Account No. 2131F0007Z.StmwtrPond.Flood.5600.56003122-541101  
2331F00005.StmwtrPond.Flood.5600.56003122-541101  
2231F00009.StmwtrPond.Flood.5600.56003122-541101

A MANDATORY Pre-Bid Conference is scheduled for Tuesday, March 7, 2023 at 9:30 a.m. and will be held through video conferencing with Microsoft Teams, invitation presented on the City of Tulsa's website at this link: <https://www.cityoftulsa.org/government/departments/engineering-services/construction-bids/>

Attendance at the Pre-Bid Conference is MANDATORY. Bids will not be received from contractors who did not attend the Pre-Bid Conference.

Bids will be accepted by the City Clerk from the holders of valid pre-qualifications certificates from the City of Tulsa in one or more of the following classifications: A or D

Drawings, specifications and contract documents for construction of said public improvements of the said project have been adopted by the Mayor of said City. Copies of same may be obtained at the Office of the Director of Engineering Services at the City of Tulsa Engineering Services, 2317 South Jackson, Room 103, North Building, for a non-refundable fee in the amount of \$50.00 made payable to the City of Tulsa by check or money order.

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A Certified or Cashier's Check or Bidders Surety Bond, in the sum of 5% of the amount of the bid will be required from each bidder to be retained as liquidated damages in the event the successful bidder fails, neglects or refuses to enter into said contract for the construction of said public improvements for said project and furnish the necessary bonds within thirty days from and after the date the award is made.

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All bids will be opened and considered by the Bid Committee of said City at a meeting of said Committee to be held in the City Council Room of City Hall in said City at 9:00 a.m. on the 24th day of March 2023.

Dated at Tulsa, Oklahoma, this 24th day of February 2023.

(SEAL)  
Christina Chappell  
City Clerk

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## Church Of The Living God

1559 E Reading St. Tulsa OK  
(918) 584-3206

Minister RJ Smith

Sunday school – 9:30am  
Sunday Worship – 10:45am  
Monday Worship – 6:00pm  
Wednesday Bible Study – 5:00pm

## CAPERNAUM MISSIONARY BAPTIST CHURCH

1962 N. Sheridan Rd.  
(918) 834-4747

Pastor Ruthie I. Howard

Sunday School  
10:00 a.m.  
Morning Worship  
11:00 a.m.  
Bible Study & Prayer Wednesday 7:00 p.m.  
For Transportation (918) 402-6027

## Words of Wisdom Ministries FC

Temporarily meeting at the Courtyard Marriott 3340 S 79th E Ave Tulsa OK  
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Sunday Morning  
Worship 11 a.m.

Bible Study  
Wednesday  
7 p.m.  
Rev. Emanuel L. Collier, Sr.  
Pastor

## Gethsemane Baptist Church

727 East 56th St. North  
(918) 425-6613

Dr. W. T. Lauderdale

Sunday School  
9:00 a.m.

Church Services  
11:00 a.m.

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## Zoe' Life Church of Tulsa

Rudisill Regional Library  
1520 N Hartford Ave.  
Tulsa OK 74106  
(918) 409-4899

Pastor Richard and Cher Lyons

Sunday Worship: 1pm  
Wed- Healing School: 6:30p – 8p

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123 E. 59th St. North  
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Pastor Rick Bruner

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9:30-10:45 a.m.

Praise & Worship 11:00 a.m.

Choir Rehearsal  
Wednesday 6:00 p.m.

*"The Seventh Day Is Still God's Sabbath"*

## Northside Christ Gospel Church

3101 N. M.L King Jr. Blvd.  
Tulsa OK  
(918) 625-2374

Sunday School –  
10 am

Sunday Morning  
Worship – 10:45

Sunday Evening Prayer – 7 pm  
Sunday Worship – 7:30 pm  
Wednesday Prayer – 7:30 pm  
Wednesday worship – 8pm

Rev. John W. Anderson

## VERNON AME CHURCH

307-311 N. Greenwood Ave.  
P: 918-587-1428  
F: 918-587-0642  
vernonamechurch@sbcglobal.net

Sunday  
Church School  
8:30 am

Worship Service  
10:00 am

Wednesday  
Bible Study  
6:00 pm

Rev. Dr. Robert R. Allen Turner

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Sunday TV  
Worship  
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## TIMOTHY BAPTIST CHURCH

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Pastor Bukky and Wunmi Alabi

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ERNESTINE DILLARD *from A1*

Mrs. Dillard was affectionately remembered as “voice who helped healed the nation,” for her April 23, 1995, performance when she electrified 11,000 mourners and a national television audience with her “God Bless America” medley that closed the Oklahoma City Memorial Service for the victims of the Alfred P. Murrah Federal Building bombing. As The Oklahoma Eagle reported, “her ‘God Bless America’ medley left many in tears.”

Mrs. Dillard was recognized as one of America’s most iconic and “talented gospel singers of our time.” The Eagle once noted she had the “voice of an angel” and her range and clarity was comparable to “the operatic luminaries Marian Anderson, Gladys Limehouse, Leontyne Price and Beverly Sills.”

She was beloved both in the U.S. and internationally with the Eagle once referring to her as “the Lady with the Golden Voice,” in July 1992.

The late-CNN anchor Bernard Shaw praised her 1995 performance saying on-air, “Here in the indoor arena on the Oklahoma State Fairgrounds the feeling is electric in the aisles, in the rows of seats, the President of United States, tears welling in his eyes as Ernestine Dillard went to the mountain symbolically with her voice singing God Bless America,” the Eagle noted in a 1998 article.

In a 1996 interview, Mrs. Dillard told Eagle correspondent Maria St. Luke that she was inspired by her mother, Christine Yarbrough Harris Towns, to sing starting at age 5. She learned to sing her mother’s favorite song, “I’ll Tell It Everywhere I go.”

“My mother taught me all the things that I needed to hear,” Mrs. Dillard said. “She said I was a ‘good child,’ and saying those things blessed and encouraged me.

“I know that I am responsible for what comes out and I was given this gift, but it belongs to God.”

Her family knows Mrs. Dillard’s many gifts – as a mother, a grandmother, a renowned singer, a minister’s wife, a nurse and a lover of God – touched not just her community but the soul of a nation.

“We are all proud of the legacy she has left, the work she has done and the many lives she has impacted,” said Charity Marcus, Mrs. Dillard’s granddaughter. “Whether people heard her sing once or a million times, she had an incredible impact on them.”

**Mississippi roots**

Mrs. Dillard’s musical roots began in Nesbit, Mississippi, where she was the fifth of 17 children born to Ernest and Christine’s blended family. Her name combines her

parents’ first names.

Her family eventually moved to 20 miles north to Memphis, Tennessee, where they became members of Riverside Missionary Baptist Church.

“There was a young woman that came to our church,” Mrs. Dillard told John Erling in a 2014 interview for Voices of Oklahoma. “She sang and really touched my heart. It really made me want to sing forever. And I remember telling God, ‘I want to sing like that when I get to be grown.’ That’s how I put it.”

Mrs. Dillard recalled that while she was shy growing up, it didn’t stop her from performing in church and in school.

“I loved to sing,” she told Erling. “I was petrified if you asked me to speak and was until I was way into adulthood. I mean, absolutely petrified. But I loved to sing, and I would sing at the drop of a hat.”

**‘I think I’ll be a nurse.’**

As a teenager, Mrs. Dillard said she dreamed of becoming a doctor and married with six children. But a friend warned that she would not have time to do both.

“... I’m looking at this reasoning from an almost teenage girl saying, ‘I can’t be a doctor because that’s going to take a lot of my time from my family. And if I’m going to have six children I’m going to need to be around,’” she told Erling. “So, I think I’ll be a nurse.”

Mrs. Dillard excelled academically and musically by the time she graduated from Manassas High School in 1960. Even though she earned three scholarships – one for academics and two for music – Mrs. Dillard decided to skip college and marry her boyfriend, Charles J. Marcus Sr., shortly after graduation.

But the young couple agreed they would find a way for her to attend nursing school.

Mrs. Dillard continued singing at churches, weddings, funerals and participating in music competitions around Memphis, including WDIA, the first U.S. radio station programmed entirely for Blacks and where legendary musician B.B. King had his radio show.

She also briefly worked a job that many other Black women did for white families.

“He kept his word,” Mrs. Dillard recalled of her husband’s pledge. “He helped me to go (to college) ... So, I worked for several months as a maid, a domestic housekeeper in keeping children. Paid the big sum of twenty dollars a week. We saved the money, and I went to nursing school for the first time.”

Mrs. Dillard graduated with a bachelor’s degree in nursing from Memphis State University. She worked first at the famous St. Jude Hospital for children and later at Saint Joseph Hospital, where she was one

of only two Black nurses working there. All the while, she raised her three children as a single mother after divorcing her husband.

**Dr. Martin Luther King Jr. killed**

At 26, she said she had a “life-changing” moment when she “saw the face of hate” in one of Memphis’ most respected white surgeons. She said the surgeon earned a reputation of treating all of his patients – Black and white – with the same quality of care.

“His patients always did well,” she recalled in 2014, “and he had no respect to race or color when he was taking care of patients because he expected us as nurses to do the best no matter who it was. He would take us to task.”

But on April 4, 1968, when Dr. Martin Luther King Jr. – who had been shot by a sniper outside the Lorraine Motel – was brought to Saint Joseph’s emergency room, she said a different man emerged.

“...(T)he doctor was on the second floor standing by the window,” she recalled. “He looked out the window and I would think, in my ideas of things, that he would have gone down to share his gift, you know, to see if maybe as a surgeon he could do something to help save this life.

“What he did instead though, he said, ‘Well,’ and I quote, ‘they have made a blankety-blank martyr of him. I suppose they are happy now.’ And he just sat down and started doing his charts.

“...I’m thinking, ‘This man (the doctor) has given his life to saving life and wanting to do good with people. And now he lets hate show its face like this.’ And I thought about that and I’m going, ‘I can’t believe this.’... But I made up mind that I had that much Christianity that hate would not rule my life.”

**A musical couple**

Mrs. Dillard found love for a second time with widower John Ray Buntyn, who was 22 years her senior with five children. The couple had a son together, and their blended family now had 10 children.

It was their love of church and music that brought them together. They became members of Greater White Stone Baptist Church, where he was choir director. The couple would form a community choir, the Divine Messenger Chorale, which “was [the] catalyst of her great musical legacy,” her obituary notes.

“Although there were other singers (in the chorale), Dillard stood out,” the 1996 Eagle story said.

Mrs. Dillard said while her second husband was “a wonderful father,” she said she decided to end their marriage in 1976 and moved her family to Indianapolis, Indiana, to put “my past behind and just starting fresh.”

She worked part-time managing a facility for geriatrics and singing “in as many places as I could” in Indiana.

**‘You’re my wife.’**

She was invited to perform at the Christian Methodist Episcopal convention in Birmingham, Alabama, when she met the Rev. Loomus Dillard, a towering 6-foot-5-inch South Carolina native who was a pastor in Virginia at the time. During the convention, they went on two dates. On their second date he boldly declared, “God says you’re my wife.”

She dismissed his overture as both crazy and off-putting, but he stayed in contact with her by phone and letters. She answered his calls but never replied to his letters.

“He was constantly saying the same thing,” she recalled. “I think persistence pays off. Finally, I decided to ask God for sure... I did like Gideon. I said, ‘If he’s going to be mine and you want me to be his he’ll have to come here, because I’m not going there. I’m not going to live in Virginia.’ And sure enough, the Bishop sent him to Indiana.”

In 1978, Mrs. Dillard married the minister, whom her family would later say, “she was blessed to meet the man that God specifically designed for her.” Their marriage lasted 41 years until his death in 2019.

His ministerial assignments took their blended family of seven children to Phoenix, Arizona; Berkeley, California; and Seattle, Washington. She continued to work as a nurse and perform, including as the lead soloist with the “African American Woman 1500 to Present” group on their national tour.

During one of the performances at the U.S. Military Academy in West Point, New York, then-Brigadier General David Bramlett dubbed Mrs. Dillard as a singer “with the surpassing voice,” according to an Eagle story in 1992.

**Moving to Oklahoma**

Mrs. Dillard was not keen relocating her family to Okmulgee, Oklahoma, especially since they had just adopted two children from Washington state. “But coming to Oklahoma is probably the best thing that God could have done for us,” she would tell Erling.

Rev. Dillard worked on his Ph.D. at Oral Roberts University and also led churches in Coweta, McAlester and Coffeyville, Kansas. Mrs. Dillard continued to sing in the church and throughout the community. She also worked first at Brookhaven Hospital before spending 30 years as a nurse clinician for the Tulsa Health Department.

**The Gold Medal**

At 52, her life changed when a friend encouraged her to mail an application and

ERNESTINE DILLARD *Continued On A14*



ERNESTINE DILLARD *from A13*

a cassette recording of her singing to a new musical contest, the American Traditions Competition in Savannah, Georgia, in 1994. She recorded her song at the Greenwood Digital Studios with owner Lonnie Liggitt, an accomplished composer, pianist, organist and conductor, who would later tour the world performing with Mrs. Dillard and produce three albums with her.

Performing as one of the oldest contestants, Mrs. Dillard made the cut of 145 singers invited to compete at the First African Baptist Church in Georgia. While the majority of singers wore tight-fitting gowns and high-heeled shoes and performed show tunes, Mrs. Dillard – wearing a white loose-fitting choir robe that dragged the floor – stayed true to her genre.

“Ernestine is a religious person, not a professional singer,” wrote columnist Jane Fishman in the Savannah Morning News. “She’s a minister’s wife who has never had voice lessons and who wouldn’t feel comfortable singing jazz or blues in a church. So she sang church songs.”

Her performance – which ended with “God Bless America” – was so moving, that when the judges selected Mrs. Dillard to receive the competition’s top award, the Gold Medal, one judge – singer and actor Della Reese – wiped away her tears as she presented the medal.

“Della Reese came up and she said, ‘Didn’t God tell you that he would never leave you nor forsake you?’” Mrs. Dillard recalled.

The contest jumpstarted a new career that for the next three decades would allow Mrs. Dillard to perform in some of the world’s most historic concert halls and venues and national landmarks in the U.S. and in Africa, the Bahamas, France, Switzerland, Turkey and U.S. military bases.

She has performed with orchestras and symphonies, recorded five albums, received honorary degrees and awards, was inducted into the Oklahoma Jazz Hall of Fame, performed before then-presidential candidate Ronald Reagan and Presidents Bill Clinton and Barack Obama and General Colin Powell, and at the CNN Trumpet Awards created by Muskogee native and CNN executive Xernona Clayton.

In a lifetime of accomplishments as a mother, wife, nurse and singer, Mrs. Dillard told the Eagle in 1998 that she credited her success to: “God. He has given me this gift and I use it for Him. People pay a great deal amount of money to have what He has freely given to me. I did nothing for this. This is for a purpose. Plus, I love Him!” “Thirty years ago, because of racism and rejection, I could not have had this. God gave it to me when He knew I could handle it. Before, I was radical. Now I believe in walking in love and serving others.”

Marcus, Dillard’s granddaughter, recalled that years ago Dillard was approached by a man who said he was afflicted with cancer and requested that she sing at his funeral. Instead, Dillard prayed for him. The man, fashion designer Charles Faudree went on to live for at least two decades. He and Dillard became close friends.

“The story says a lot about the impact of prayer and a lot about the kind of woman she was,” Marcus recalled in an interview with the Oklahoma Eagle.

Mrs. Dillard was preceded in death by her parents; her husband; a son, Bishop John R. Buntyn Jr.; three brothers, James Harris, O.D. Harris and Jerry Towns; three sisters: Cherry Hardaway, Erma Harris and Clara Towns. She is survived by 10 daughters: Tonnie (Boris) Nichols, Dr. Lawana Marcus, Loretta Buntyn, Patricia (Ronald) Cobbs, Beverly (Cleo) Thomas, Sylvia (Benjamin) Poindexter, Yolanda Walton, Camilla Dillard, Patricia Dillard and Atisha Dillard; five sons: Charles (Sandra) Marcus, Timothy (Rachel) Buntyn, Rudy Buntyn, Bishop Kenneth (Ann) Buntyn and Silvio Dillard; her grandchildren: Brandy Smith, Kesha Smith, Brian Smith Jr., Candace Smith, Charles Marcus III, April Marcus, Charity Marcus; fourteen great-grandchildren; four sisters: Bonnie Grayson, Joyce Rayner, Carolyn Kendrick and Angela Smith; two brothers: Ernest L Harris and Jimmy (Darlene) Towns and a host of other relatives, nieces, nephews and friends.

Mrs. Dillard’s “Home Going Celebration” will be at noon, Saturday, Feb. 25, at Boston Avenue United Methodist Church, 1301 S. Boston Ave., Tulsa, with the Rev. Dr. Stacey Cole eulogizing. Public visitation is from 10 to 11:30 a.m. There will be no viewing after the service.

Interment will be at 1:30 p.m., Monday, Feb. 27, in the Fort Gibson National Cemetery in Fort Gibson.

House of Winn Funeral Home-Muskogee is handling Mrs. Dillard’s services.

Corbut said she was unaware that she and Reinmiller were listed on the

# Establish A Harmonious Relationship With The Local Minority Community BY ASSISTING THOSE IN NEED

OASIS FRESH FOUNDATION



(LEFT) AARON JOHNSON MARC JONES, TAYLOR BROYLES AND SKYE MCNEIL speak with Oklahoma Senate President Pro Tempore Greg Treat (R-OKC) during special session Thursday, Sept. 29, 2022.

“With us going into low-income, low-access areas — man, someone getting an apple is great... But if they can get an apple and financial literacy at the same time, that’s empowerment.

Aaron “AJ” Johnson, co-owner and executive director of Oasis Fresh Market

FOOD DESERTS *from A1*

and ongoing litigation filed by a former business partner.

Aaron “AJ” Johnson is the co-owner and executive director of Oasis Fresh Market, a privately owned grocery store that opened in a north Tulsa food desert in May 2021. Simultaneously, Johnson serves as the executive director of Oasis Fresh Foundation, a 501(c)(3) nonprofit also established in 2021 to provide wrap-around social services for customers.

But although Johnson has the conceptual support of many influential Oklahomans, uncertainty about the governance structure of Oasis Fresh Foundation has raised significant questions about whether the organization is positioned to handle \$30 million of public money. During a series of interviews with NonDoc, for example, Johnson has provided conflicting information about the makeup of his nonprofit’s governing board.

The foundation’s 990 IRS tax form for 2021 lists Aaron Johnson and his wife, Amber, as board members. On Friday, Johnson defended his wife’s position as an active board member. But on Sunday, he said she had only been on the board for six months and had left the board prior to 2022.

Similarly, Oklahoma Center for Nonprofits Vice President Lauren Corbut and her fiancé, petroleum company executive Hamel Reinmiller, were listed as board members on the Oasis Fresh Foundation 2021 tax filing. But reached Sunday, both Corbut and Reinmiller said they were caught off guard when Johnson announced them as board members at a May 2022 event.

“AJ is a friend, and Hamel and I both support the work he’s doing, but neither of us have ever acted in an official member-governance capacity,” Corbut said. “We have never attended a board meeting, nor have we ever signed a duty of care or loyalty or transparency.”

Corbut said she was unaware that she and Reinmiller were listed on the

2021 tax form, and Reinmiller said he reached out in October with questions about the situation.

“I expressed some concerns about this and kind of just said, ‘If we’re on it, we need to step back, and if we’re not, then great,’” Reinmiller said. “It’s reasonable that he thought up until that point that we were supporters of his, and we remain supporters of what he is trying to do. But if he’s going to receive \$30 million of public money, there have got to be some best practices put in place.”

Johnson has made other conflicting statements about his nonprofit’s governing board as well.

Asked Friday to identify the chairperson of the board, Johnson said he would consult his accountant and provide an answer over the weekend. Asked again by email Sunday, Johnson identified former Homeland CEO Marc Jones as board chairman of the Oasis Fresh Foundation. But four hours earlier, when asked on the phone whether Jones was a board member or a contracted employee, Johnson replied, “Marc is a partner consultant.”

‘Empower and transform lives and individuals’ An affable and outgoing man who spent eight years as a pastor at Victory Christian Church, Johnson worked from 2017 to 2021 as executive director of the Tulsa Dream Center, a nonprofit organization started by Victory Christian leadership to provide a variety of social services and economic empowerment opportunities. In April 2021, he left those roles to lead the Oasis projects full time and to open the first new grocery store in a historically Black north Tulsa neighborhood in 14 years.

The 2021 IRS filing notes that Aaron Johnson received no compensation for running Oasis Fresh Foundation, but it lists \$90,000 in compensation “from related entities” like Oasis Fresh Market.

The IRS form also indicates that the nonprofit paid \$27,238 for “contract services” to DreamCo, a “consulting and marketing” business registered at the address of the Johnsons’ home in Bixby.

Total 2021 revenue for Oasis

Fresh Foundation was reported as \$284,658, and the nonprofit’s purpose is to establish “a harmonious relationship with the local minority community by assisting those in need through benevolence giving and the distribution of gift cards for food given directly to those in need,” according to the tax filing.

“With us going into low-income, low-access areas — man, someone getting an apple is great,” Johnson told NonDoc in September regarding the relationship between his for-profit company and nonprofit organization. “But if they can get an apple and financial literacy at the same time, that’s empowerment. And so our goal is really to empower and transform lives and individuals, and thus communities.”

During their September special session to appropriate ARPA dollars, lawmakers had anticipated approving Johnson’s application, which would have dispersed \$30 million to the Oasis Fresh Foundation via contract with the Department of Human Services. However, an unrelated dispute between the House and Senate regarding funding for domestic violence centers derailed the DHS appropriation bill.

Legislative budget leaders again seemed prepared to move the bill forward last week in an effort to address food insecurity issues in lower-income communities. Grocery businesses typically operate on small profit margins, with high capital investment costs and volatile food prices hindering development efforts in poorer areas.

But lingering concerns from some lawmakers and nonprofit leaders — as well as questions from NonDoc about the overlapping business entities and Oasis Fresh Foundation’s governance — resulted in additional discussions about the proposal.

On Friday, Senate Appropriations and Budget Vice Chairman Chuck Hall (R-Perry) said members of the Legislature’s ARPA committee held an informal meeting to discuss new questions raised by a review of Oasis Fresh Foundation’s 990 tax

filing, which had not been required of Johnson or other nonprofits during the ARPA application process.

“It is incumbent of those of us in the ARPA process to vet out the legitimacy of any operation prior to funding a request, and if we determine through additional research and study that there could potentially be questions on the flow of funds, then we are going to take a step back,” Hall said. “Our committee has requested and has received documentation that is required in any steps to verify the legitimacy of any nonprofit, and we are going to take our time to evaluate those to see that they are complete and that we have a comfort level with filings that are appropriate with any nonprofit.”

Ginny Bass Carl, a prominent nonprofit consultant who said she has been impressed by Johnson and the Oasis Fresh Foundation during her management of the unrelated Community CARES Partners initiative, said a robust governing board is key to the success of any nonprofit, and she questioned why legislators are only now reviewing the foundation’s Form 990 and its board oversight.

“It’s funny, isn’t it? It’s taken this long to get this money out, but they didn’t ask a lot of what we would think would be obvious questions. Like, ‘Hey, can I see your 990? Can everyone here attach your 990 to this proposal? Can everyone here attach your board of directors?’” she said. “You would think that they would have done that. So it’s like, what took you so long if you weren’t doing that kind of stuff?”

**Form 990 notes ‘contract services’ with Aaron Johnson**

Unlike most major nonprofit organizations, Oasis Fresh Foundation has not maintained an active GuideStar profile, a fact that caught the attention of prominent Oklahoma nonprofit leaders after legislators revealed in September that the organization was set to receive \$30 million of ARPA money. Typically, **FOOD DESERTS** *Continued On A15*



PHOTO BENNETT BRINKMAN



A BUS drives through the parking lot of Oasis Fresh Market, north Tulsa's first grocery store in 14 years, on Tuesday, Feb. 21, 2023.

## Drummond: Top Priority

# Stepping Up Enforcement AGAINST ILLEGAL MARIJUANA GROW OPERATIONS

### FOOD DESERTS *from A14*

organizations post their 990 IRS filings and other information on their GuideStar pages, which are rewarded with bronze, silver or gold levels of transparency. (The Oasis Fresh Foundation does not have its own website, and its board is not listed on the Oasis Fresh Market website.)

Nonprofit 501(c)(3) organizations file 990 tax forms annually and are required to provide them to the public upon request. NonDoc originally asked to review Oasis Fresh Foundation's 990 filing in September and again in October, at which point Johnson said "a request has been submitted."

Asked again about access to Oasis Fresh Foundation's Form 990 on Feb. 14, Johnson claimed his attorney had emailed it. No such email was received, and another request was made for review.

On Feb. 20, hours after NonDoc asked legislators about the situation, Johnson emailed a 990 document that was unsigned and undated by the listed tax preparer. The form's Schedule B list of revenue sources was withheld, as allowed by federal law.

Johnson said his nonprofit's 990 had not been requested previously by the state during the ARPA application process and that it had not been finalized until after Oct. 26.

"I didn't even have it at that time," Johnson said.

On the form, the Oasis Fresh Foundation, which Johnson refers to as "Oasis projects," describes its mission as "community transformation and humanitarian services." The filing includes an explanation for the relationship between the nonprofit Oasis Fresh Foundation and the for-profit Oasis Fresh Market:

Oasis Fresh Foundation is a 501(c)(3) organization related to Oasis Fresh Market via its executive director Aaron Johnson, who is a partner of Oasis Fresh Market. Oasis Fresh Foundation makes various purchases of food, other products, and gift cards used in its primary outreach programs from Oasis Fresh Market. It also reimburses rent to Oasis Fresh Market for its use of space and equipment used in operations.

The organization reported that it received \$284,487 in contributions and grants in 2021, as well as \$171 of other revenue. The organization reported \$214,817 in total expenses, with \$204,944 as program service expenses.

The form detailed the nature of those program expenses:

Distributed food and conducted monthly 'first Saturday' programs designed to bring the minority community of Tulsa, Oklahoma together in prosperity and in conjunction with neighboring communities. Provided food for Thanksgiving and Christmas outreaches. Distributed gift cards for food to approximately 2,100 individuals in Tulsa, OK. Also, donated funds to other 501(c)(3) organizations to help further our exempt purpose through the program services they provided.

On Feb. 20, Johnson said "a portion" of the nonprofit's 2021 revenue came from "a utility assistance grant" to help individuals with housing and broadband issues. That grant

program is administered by Bass Carl, who said 35 agencies received CARES Act money to do outreach for the distribution of Emergency Rental Assistance funds.

"Oasis was a great performer," she said, noting that only one-quarter of the ERA contract's funding would have been distributed in 2021. "They got a ton of people in and helped them with the application. Some people just need more hands-on help, and they did a great job with that."

For 2021, Johnson also said Oasis Fresh Foundation received funding from one of the Zarrow foundations. Additionally, according to a Fox 23 article from June 2021, Transformation Church donated \$100,000 that would be used to give out 1,000 gift cards of \$100 each to Oasis Fresh Market customers.

"Growing up in a single-parent home, I understand the real struggles of not having access and the (impact of) nonprofits that would help my family," Johnson said in September. "To be able to really give a gift of what nonprofits did for me growing up, well, as a businessman, it's about serving people, right? And so even on the nonprofit side, to extend those services of serving people, that's what is the most important thing."

On its Form 990, the Oasis Fresh Foundation reported two "business transactions involving interested persons," both involving Aaron Johnson. One transaction noted Johnson in his role as executive director of Oasis Fresh Market, the grocery store at 1725 N. Peoria Ave. in Tulsa. The foundation "purchased gift cards" totaling \$127,547.

The other transaction, for \$27,238 in "contract services," involved a company called DreamCo. The form lists Johnson as director of the consulting and marketing firm and lists the company's address as Johnson's home in Bixby.

Asked about the "contract services" his personal consulting business performed for the nonprofit he runs, Johnson said Friday he would get his accountant to answer the question. On Sunday, Johnson called back to explain the contract.

"The nonprofit didn't have the marketing services, and so DreamCo was set up before Oasis project was set up, and so since we were the new nonprofit we used the entity that I already had prior to — that was their recommendation — prior to because the organization at the time didn't have the money to hire a big firm," Johnson said. "They said they've seen this in other spaces before, so it's not too uncommon for a new organization, but we have since then gone away from that as well."

Johnson said Oasis Fresh Foundation now uses the company GitWit for marketing services.

**Board members 'have the liability, as well as the responsibility'**

Bass Carl, a longtime Oklahoma nonprofit leader, said board governance is paramount for the success of any nonprofit, whether it receives public funding or not. On Friday, prior to Johnson clarifying that his wife had left the Oasis Fresh Foundation board, Bass Carl said familial relationships can be worth noting.

"I would want to see the conflict of interest policy," she said. "When I teach governance, I always tell them it's not that conflicts are inherently bad or good on your surface. The absolute key is to disclose and document it and that the interested party doesn't vote on it."

Regarding the relationship between Oasis Fresh Foundation, Oasis Fresh Market and Johnson's DreamCo company, Bass Carl said the board of the nonprofit organization — which could receive the \$30 million in ARPA funds — needs to have a clear understanding of the entities' interactions.

"I would just want to know that it's been vetted out, and that's why you have a board of directors that can work around the conflicts, if any, that are going on here," she said. "So you have that third party coming in who is vetting it and doing the due diligence as fiduciaries of the organization. So it's not 'AJ's nonprofit.' The leaders of the nonprofit — the ones making the decisions — are the board. And they're the ones that have the liability, as well as the responsibility, to do that well."

But exactly who has that liability and responsibility has changed over the first two years of the nonprofit's existence. On its Form 990 for the 2021 tax year, the Oasis Fresh Foundation listed eight total board trustees, including Aaron Johnson. The other seven trustees listed were:

- Charlotte Love, a program manager at the OSU Health Sciences Center who also received \$27,000 in compensation for working as "program director" at Oasis Fresh Market;
- Bryan Smith, a State Farm insurance agent;
- Amber Johnson, the wife of Aaron Johnson;
- Tina Armstrong;
- Sean Kouplen, chairman and CEO of Regent Bank and a former secretary of commerce in the administration of Gov. Kevin Stitt;
- Lauren "Courbet," whose last name is spelled Corbut;
- Hamel Reinmiller, a certified professional landman and executive vice president of land, legal and business development at Command Energy in Tulsa.

Sunday night, however, Johnson said the nonprofit has only five board members currently: himself, Love, Armstrong, Jones and Cordell Carter II, who serves as the executive director of the Socrates Program at the Aspen Institute, an international think tank.

Johnson also provided further perspective about his wife's initial service on the board, which he said ended in 2021.

"If we take away her last name 'Johnson,' her credentials — her study — was psychology and sociology with an emphasis on child development," Aaron Johnson said. "So in her first six months as a board member, she really was key in helping our Saturday outreaches (...) that were around children. Since then, obviously the board has advised — for 2022 and 2023 she

wasn't on the board."

Reinmiller, meanwhile, acknowledged he posted on Instagram in May 2022 that he and Corbut were "so proud to serve on the Oasis Board and to support Aaron Johnson and the transformational work he is doing in our community!!" But he said the post was made shortly after Johnson unexpectedly announced the engaged couple as board members at a public event. Over the ensuing months, Reinmiller and Corbut said they reached out to try and clarify Johnson's expectations.

"We spoke about it because we both serve on other boards. I work at the Center (for Nonprofits). We know it is not best practices for spouses to serve on boards together," Corbut said. "So we sent him a note and said we want some clarification: 'This isn't ethical for us both to serve on it, can we talk to you about this?'"

**Lawsuit: 'They wrote up a note saying that I was owed money'**

While Aaron Johnson has been navigating the legislative landscape to pursue \$30 million of ARPA funds to build four additional Oasis stores in Oklahoma food deserts, he has also been tied up in a lawsuit involving his north Tulsa store's original business partners.

Ryan McKenna, a real estate agent, said he was initially engaged by a man named James Bloom to find property for hydroponic agriculture efforts in the Tulsa area. McKenna eventually became an investor and a 15 percent shareholder in Eco Alliance Group, LLC, which also added Aaron Johnson as a member. As the concept for Oasis Fresh Market developed, McKenna and Johnson joined a pastor named William James as the only company shareholders with local ties to Tulsa.

But McKenna claims his partners continued to ask him for additional investments, something that made him uncomfortable, and he said he was eventually voted out of the company.

"At that point, they decided they didn't want me in the group anymore as a voting member," McKenna said in a 2022 interview. "They wrote up a note saying that I was owed money, but they never honored that."

As a result, McKenna filed a December 2021 lawsuit seeking \$78,855.25 from Bloom, Johnson and other members of Eco Alliance Group, as well as PPFMKT, a limited liability corporation for which Johnson is the registered agent.

In his petition, McKenna alleged that Eco Alliance Group and PPFMKT "are comprised of the same members with the same or substantially similar respective ownership interests in which resources are shared and co-mingled."

In their response, the defendants denied that allegation and most other allegations made by McKenna, who said Johnson told him about forming a nonprofit to support the grocery store.

But McKenna said Johnson did not note that James Bloom was an original incorporator of the nonprofit, along with Johnson and an Owasso man named William Joseph Hair.

"He just told me that it was a way to do these new grocery stores and that it wasn't going to

**FOOD DESERTS** *Continued On A16*





AARON "AJ" JOHNSON, co-owner and executive director of Oasis Fresh Market

# Lawmakers Say *Specific Delivery and Reporting Obligations Will Be Worked Out*

FOOD DESERTS *from A15*

make any money,” McKenna said.

McKenna said that, in mid-September, Johnson requested that they meet with representatives of the Tulsa Economic Development Corporation. The discussion involved a request to dismiss Johnson from the lawsuit.

“It was the day before the article came out in the news about the \$30 million,” McKenna said. “But they didn’t say anything about that to me, and so that’s when I told them they need to go see my lawyer from now on because the whole thing seemed really odd to me.”

McKenna said Johnson told him he also had been “voted out” of Eco Alliance Group, although both men still appear on the company’s website.

“Before they voted me out as a voting member, I was heavily involved in [the north Tulsa grocery store],” McKenna said. “I spent a ton of my personal time. I took time away from my family and my kid to work on this project. I was heavily involved in the design of this store.”

McKenna said he did not receive an invitation to the grand opening, which occurred months before he sued his former business partners.

“I had the wish of being able to [set it up so] people could use food stamps to get groceries delivered,” McKenna said. “That was a huge thing that I was passionate about doing because there are people who ride the bus and they can’t carry many groceries.”

On Jan. 19, PPFMKT and Aaron Johnson filed a pair of settlement offers in McKenna’s lawsuit for \$10,000 and \$5,000, respectively. McKenna said he denied the offers because he is owed more than \$78,000.

Attorney Donald Lepp — who said he represents both Johnson and PPFMKT — declined to discuss the lawsuit on the record.

Johnson said the lawsuit is not connected to the Oasis Fresh Foundation, and he said he no longer has contact information for Bloom,

**“It’s the partnerships and the synergies that I think are the key to the unique aspect of this model... Bringing together the for-profit grocery store, for that matter, and the nonprofit foundation.”**

**Aaron “AJ” Johnson, co-owner and executive director of Oasis Fresh Market**

who is now involved in an agricultural land deal with the city of Pryor.

‘AJ is pretty impressive’

Members of the Oklahoma Legislature appear to have limited information about the ongoing litigation, but their desire for someone to address food insecurity in urban and rural Oklahoma remains a driving force in conversations about how to allocate remaining ARPA funds. Hall, the Senate Appropriations and Budget Committee’s vice chairman, said members of the Legislature’s Joint Committee on Pandemic Relief Funding decided last week to do a deeper analysis of all nonprofit projects.

In September, Hall and Rep. Jeff Boatman (R-Tulsa) both said they had been unaware of the lawsuit against Oasis and Johnson. In the House, Boatman has been a primary champion of the Oasis ARPA proposal and the vision of Johnson.

“AJ is pretty impressive. We went out and watched him in the store,” Boatman said. “The hard part of this whole thing is going to be replicating that, because Oasis works not because they’re in a perfect location or not because they have exactly the right wraparound services. It works because he’s been able to develop a culture of serving people. (...) They look for needs and they try to meet those needs.”

To do that effectively while running a grocery operation, Johnson said the Oasis Fresh Foundation has contracted the services of Marc Jones, the former president and CEO of Homeland who helped launch RestoreOKC’s grocery project called The Market at Eastpoint on Northeast 23rd Street in Oklahoma City. Jones joined Johnson at a Sept. 15 presentation in front of the Legislature’s ARPA committee.

“It’s the partnerships and the synergies that I think are the key to the unique aspect of this model,” Jones told legislators. “Bringing together the for-profit grocery store, for that matter, and the nonprofit foundation. And to be clear, that is the request for the funding — for the nonprofit.”

During the committee hearing, Jones and Johnson said the \$30 million in ARPA money would fund the construction of four new Oasis stores: first in west Tulsa, second in south OKC, and third and fourth in rural areas of Mayes, Muskogee, Okfuskee, Okmulgee or Osage counties.

“It’s the wraparound services that really start creating a hub within the community,” Jones said. “People gather around food, but it’s really the other services we can provide to them in a non-threatening atmosphere, a very approachable atmosphere within those stores.”

If the Legislature gives final approval to the \$30 million for four new Oasis grocery stores, lawmakers say the specific delivery and reporting obligations will be worked out in a contract between DHS and Oasis Fresh Foundation.

But McKenna, the former Oasis business partner suing Johnson and the two companies, said legislators should ensure all relevant questions are answered before approving the appropriation.

“I would say look into everything and see what’s going on, because I don’t even know what is going on, and that’s not a good thing considering I’m a shareholder of this company and I don’t know what happened,” McKenna said. “I would like to know, and I am hoping I do find out stuff through the lawsuit.”

William W. Savage III (Tres) has served as the editor in chief of NonDoc since the publication launched in September 2015. He holds a journalism degree from the University of Oklahoma and covered two sessions of the Oklahoma Legislature for eCapitol.net before working in health care for six years. He is a nationally certified Mental Health First Aid instructor.

Bennett Brinkman became NonDoc’s education reporter in August 2022 after completing a reporting internship. He holds a bachelor’s degree in journalism from the University of Oklahoma and is originally from Edmond.



PHOTOS AP PHOTO/PATRICK SEMANSKY

# AS COURT DEBATES STUDENT LOANS BORROWERS SEE DISCONNECT



**STUDENT DEBT RELIEF ADVOCATES** gather outside the Supreme Court on Capitol Hill in Washington, Tuesday, Feb. 28, 2023. Arguments at the Supreme Court over President Joe Biden's student debt cancellation left some borrowers feeling isolated as they heard such a personal subject reduced to cold legal language.

By **COLLIN BINKLEY**, ASSOCIATED PRESS

WASHINGTON (AP) — Niara Thompson couldn't shake her frustration as the Supreme Court debated President Joe Biden's student debt cancellation. As she listened from the audience Tuesday, it all felt academic. There was a long discussion on the nuances of certain words. Justices asked lawyers to explore hypothetical scenarios.

For Thompson, none of it is hypothetical. A student at the University of Georgia, she grew up watching her parents struggle with student loans and will graduate with about \$50,000 of her own student debt.

"It felt like people who could never understand why we would want something like this," she said. "I wanted to be like, 'Y'all don't understand. Y'all are focusing on this, but there's people out here who are struggling to find food for their families.'"

Much of the discussion in Tuesday's hearing centered on whether states had the legal right to sue over Biden's student loans plan. But the justices also were scrutinizing whether Biden had the authority to waive hundreds of billions of dollars in debt without the explicit approval of Congress, which decides how taxpayer money is spent.

It's not unusual for Supreme Court cases to hang on legal technicalities, even in cases of great public interest. Yet to borrowers following Tuesday's arguments, it felt isolating to hear such a personal subject reduced to cold legal language.

Opponents of the plan to wipe away debt held by millions of Americans have denounced it as an insult to those who have repaid their debt and to those who didn't attend college.

Thompson was among a few dozen borrowers who camped out in drizzle overnight to get seats at the court for Tuesday's hearing. Some of the court's liberal justices sought several times to turn the arguments back to the people who would benefit from the program, pointing out their need for relief. In response, conservatives asked if those who passed up college should pay for those who borrowed money to attend.

For Thompson's family, years of payments hang in the balance. Student loan payments have been on hold since the start of the pandemic, but they are set to restart 60 days after the court cases resolve — regardless of the outcome.

Thompson and her father are each eligible for \$10,000 in relief, she said. It would move her a step closer to financial stability, Thompson said, and it would eliminate the rest of her dad's loans.

"It just hurt my feelings a bit," she said of Tuesday's arguments. "I just want better for us,

you know?'"

The mood inside the court — quiet and ceremonious — was a contrast to the atmosphere outside as dozens of activists rallied in support of cancellation. Crowds chanted and listened to speeches from members of Congress, including Sen. Elizabeth Warren, D-Mass., and Sen. Bernie Sanders, I-Vt.

Advocates took to the podium to share stories about family sacrifices and life milestones deferred because of heavy student debt.

Ella Azoulay, a 26-year-old who lives in Washington, visited the rally to join the push for debt relief, which she calls a "family issue." A 2018 graduate of New York University, Azoulay has \$40,000 in student debt, while her dad has more than \$400,000 taken out on behalf of her and her two siblings.

"I can't really think about my future without thinking about this huge debt," she said. "My dad has no plans to retire. He's in his 60s and he has said for my whole life that he will never be able to retire. And that's really upsetting to hear."

During the hearing, liberal Justice Sonia Sotomayor said it would be a mistake for her fellow justices to take for themselves, instead of leaving it to education experts, "the right to decide how much aid to give" people who will struggle if the program is struck down.

Others justices also have shown a grasp of borrowers' plight. Justice Clarence Thomas, the court's staunchest conservative, has written about the "crushing weight" of his own student loans, which he paid off after reaching the nation's highest court.

Kayla Smith, 22, joined Thompson at the overnight campout for a seat inside the court. A recent graduate of the University of Georgia, she also felt the discussion missed the bigger picture.

Smith's mother borrowed more than \$20,000 in federal Parent Plus loans to help her pay for college. Smith sees it as the result of a broken system that forces people into debt for a shot at social mobility.

"They were focused on small, minuscule details," Smith, of Atlanta, said of the justices. "I even saw some of them laughing during the hearing, which was odd to me because people's lives are being affected. It's not a laughing matter to us, at least."

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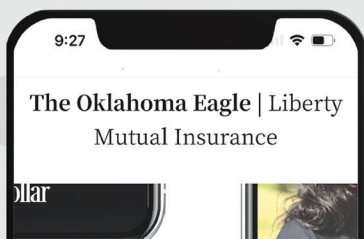
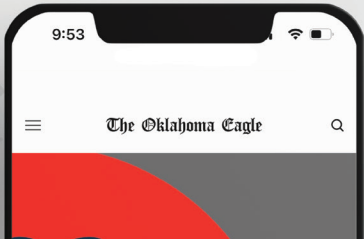


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