

WEEK  
**5,330**

**SINCE THE  
1921  
TULSA  
RACE  
MASSACRE**

It's long overdue for the criminals who destroyed the Greenwood community in 1921 to be held accountable. Each week we remember a departed member of our community.

**STATE  
OK HIGH COURT STRIKES  
DOWN 2 ABORTION  
BANS A1**  
*By SEAN MURPHY, ASSOCIATED PRESS*

**STATE  
NEW LAW LETS OK PROPERTY  
OWNERS REPUDIATE RACIST  
LANGUAGE A10**  
*By JOE TOMLINSON, NONDOC*

LOCAL & STATE

# The Evans-Fintube Saga

What happened To A \$68 Million Development Plan For Greenwood?

TULSA - Just over a year ago, City of Tulsa officials approved of the bold plan to bring a sprawling center of retail stores, offices, residences, and a hotel to the heart of the Greenwood District.

*By GARY LEE, THE OKLAHOMA EAGLE*



*By GARY LEE, THE OKLAHOMA EAGLE*  
**EVANS FINTUBE On**

**A7**

PHOTO SAM LEVRULT MEDIA

STATE

**OKLAHOMA BOARD  
APPROVES FIRST RELIGIOUS  
CHARTER SCHOOL**

*By PAUL MONIES, OKLAHOMA WATCH*

Despite the threat of lawsuits, an Oklahoma educational board on Monday approved the nation's first application for public tax dollars for a religiously affiliated virtual charter school.

RELIGIOUS CHARTER SCHOOL *cont. A3*

STATE

**STITT VETOES HIGHLIGHT  
REIGNITED FIGHT ON STATE-  
TRIBAL TOBACCO COMPACTS**

*By TRES SAVAGE, NONDOC*

Disputes between the state of Oklahoma and sovereign tribal nations over tobacco taxation date back to the 1980s and have spurred critical cases at the highest courts in the land. Now, as other questions linger about civil jurisdiction

STATE-TRIBAL TOBACCO COMPACTS *cont. A7*

NATION

**HISTORY  
IS A HUMAN  
RIGHT**

*By JESSE HAGOPIAN, WORD IN BLACK*

New York Times best-selling author Lavelle Lavette has made a name for herself via book collaborations with actress Viola Davis, National Urban League CEO Marc Morial and Houston Rockets owner Tillman Fertitta, just

HISTORY *cont. A15*



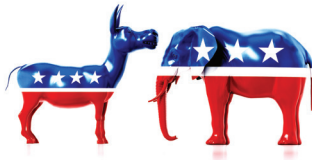


DEPT. STAFFERS SUE  
RYAN

Suit filed against Superintendent Walters and Matt Langston, his chief policy advisor and former campaign manager. A11

2023 AUTHORED  
DEMOCRAT BILLS

SCOTUS could soon decide a federal law meant to keep Indian children with their families and tribes is racist. A9



IN A  
6-3 RULING  
The High Court Said The Two Bans  
*Are Unconstitutional*

By SEAN MURPHY, ASSOCIATED PRESS

HIGH COURT, ABORTION BAN from A1



OKLAHOMA CITY (AP) — The Oklahoma Supreme Court ruled on Wednesday that two state laws banning abortion are unconstitutional, but the procedure remains illegal in the state in nearly all cases except life-threatening situations.

In a 6-3 ruling, the high court said the two bans are unconstitutional because they require a “medical emergency” before a doctor can perform an abortion. The court said this language conflicts with a previous ruling it issued in March that determined the Oklahoma Constitution provides an “inherent right of a pregnant woman to terminate a pregnancy when necessary to preserve her life.”

The court’s decision was welcomed by doctors who said uncertainty about the state’s abortion laws often forced them to make women facing severe medical complications and nonviable pregnancies to wait for their condition to worsen before they could perform an abortion.

“In our practice we had cases where we would just have to tell women who we would normally offer a (pregnancy) termination to protect her health ... ‘We have to let you go home and monitor your condition and if you start showing signs of infection or worsening blood pressure, then come back and we have the ability to legally treat you,’” said Dana Stone, an Oklahoma City obstetrician and gynecologist. “Otherwise, we’re at risk with these laws of going to jail for 10 years, having hundreds of thousands of dollars in fines and losing our medical licenses.”

Despite the court’s March decision that the requirement to wait until an active medical emergency violated the state constitution, there remained uncertainty because of the two laws that remained in effect.

“With their decision today, the court has ensured that the March decision will be fully realized,” said Rabia Muqaddam, a senior staff attorney at the New York-based Center for Reproductive Rights, which challenged the laws on behalf of a Tulsa abortion provider. “Hopefully patients will be receiving the medically necessary care they need without waiting until they are on death’s door.”

Since the U.S. Supreme Court’s Dobbs ruling last year that overturned Roe v. Wade and the nationwide right to abortion, tighter abortion restrictions have been enacted in most Republican-controlled states and protections of abortion access have gone into effect in most that are dominated by Democrats.

The laws struck down Wednesday in Oklahoma both included a civil-enforcement mechanism, first enacted in Texas in 2021, that allowed citizens to sue someone who



“Despite the court’s decisions today on SB 1503 and HB 4327, Oklahoma’s 1910 law prohibiting abortion remains in place.”

GENTNER DRUMMOND,  
Oklahoma Attorney General

either performed or helped someone perform an abortion.

“Despite the court’s decisions today on SB 1503 and HB 4327, Oklahoma’s 1910 law prohibiting abortion remains in place,” Oklahoma Attorney General Gentner Drummond said in a statement. “Except for certain circumstances outlined in that statute, abortion is still unlawful in the state of Oklahoma.”

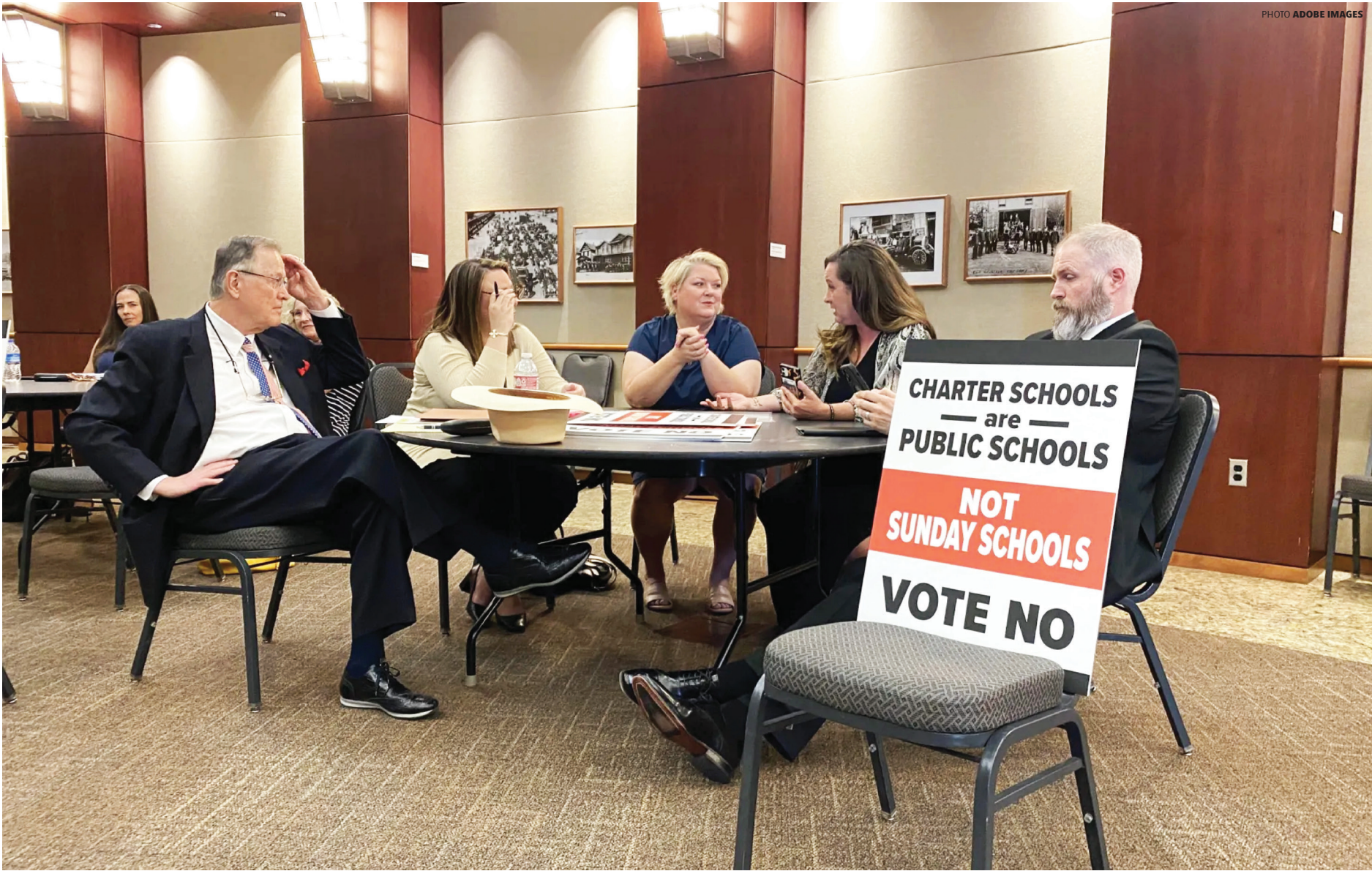
Oklahoma’s 1910 law makes it a felony crime punishable by up to five years in prison for anyone to perform an abortion or help a woman obtain an abortion unless it is “necessary to preserve her life.”

The court’s decision was decried by Republican leaders and Gov. Kevin Stitt, who have worked for years to tightly restrict abortion access in Oklahoma.

“This court has once more over-involved itself in the state’s democratic process, and has interceded to undo legislation created by the will of the people,” Stitt said in a statement. “I agree with Justice (Dustin) Rowe’s dissent, ‘The issues presented in this matter are political questions, which are better resolved by the people via our democratic process.’”

SEAN MURPHY, a Capitol Correspondent at The Associated Press, is an experienced journalist familiar with all aspects of writing, reporting and editing. Direct experience with political coverage and campaigns, criminal justice, state and local government and breaking news.





OPPOSENTS OF AN APPLICATION by a Catholic virtual charter school wait for the start of a meeting by the Statewide Virtual Charter School Board at the Oklahoma History Center in Oklahoma City on Monday, June 5, 2023. PHOTO PAUL MONIES/OKLAHOMA WATCH

# The Statewide Virtual Charter School Board **VOTED 3-2 TO APPROVE**

By PAUL MONIES, OKLAHOMA WATCH  
RELIGIOUS CHARTER SCHOOL from AI

The Statewide Virtual Charter School Board voted 3-2 to approve a revised application by St. Isidore of Seville Catholic Virtual School. The decision is certain to set up lawsuits that could go before the U.S. Supreme Court in a key test of the separation of church and state. At a minimum, the approval may run afoul of Oklahoma’s Blaine Amendment, which forbids state money for the direct or indirect benefit of any religion or religious institution.

The Catholic virtual charter school will be run by the Archdiocese of Oklahoma City and the Diocese of Tulsa. Pending approval of a contract with the state, it expects to be able to take students by the fall of 2024. The virtual school would teach religious tenets similar to those found in traditional private Catholic schools.

The 3-2 vote came after the board heard an update from school officials. Among those voting in favor was new board member Brian Bobek, an Oklahoma City businessman who previously served on the State Board of Education. Oklahoma House Speaker Charles McCall appointed Bobek on Friday. Bobek signed his oath of office just before the vote on the Catholic virtual charter school.

Bobek’s vote in favor came despite an appeal by board Chairman Robert Franklin at the start of the meeting that Bobek abstain. Bobek did not comment after the meeting. Franklin was joined by William Pearson in voting against the application. Board members Scott Strawn and Nellie Sanders voted to approve.

Brett Farley, executive director of the Catholic Conference of Oklahoma, said his group was excited by the vote. He said they’d be ready for any possible lawsuits.

“We think this is just an extension of what we’ve been doing in Oklahoma, which is providing more opportunities for education for kids that need it,” Farley said.

In an interview with reporters after the meeting, Franklin said he was disappointed in the vote and disheartened by the contention that the board was just playing a role in the inevitable next step at court. Apart from the discussion on the constitutionality of the application, Franklin said it continued to fall short on how the Catholic virtual school would help children who need special education.

“I’ve watched schools and I’ve watched families and I’ve watched teachers who sometimes have a difficult time meeting all of the needs that are presented. It’s a difficult, hard process,” Franklin said. “I just don’t think that they (the virtual school) felt that was going to be onerous.”

The approval came just two months after the Statewide Virtual Charter School

**Brian Bobek, an Oklahoma City businessman who previously served on the State Board of Education, voted in support of the revised application.**



BRETT FARLEY, executive director of the Catholic Conference of Oklahoma, talks to reporters on Monday, June 5, 2023, after the Statewide Virtual Charter School Board voted 3-2 to accept the application of St. Isidore of Seville Catholic Virtual School. PHOTO PAUL MONIES/OKLAHOMA WATCH

Board unanimously rejected an earlier version of the school’s application. That rejection came amid threats of possible lawsuits, including an assertion by Oklahoma Attorney General Gentner Drummond that his office could not represent board members who went against their oath of office.

On Monday, Drummond again reiterated his position that the vote was unconstitutional.

“The approval of any publicly funded religious school is contrary to Oklahoma law and not in the best interest of taxpayers,” Drummond said in a statement. “It’s extremely disappointing that board members violated their oath in order to fund religious schools with our tax dollars. In doing so, these members have exposed themselves and the State to potential legal action that could be costly.”

Drummond’s position stands in contrast to his predecessor, John O’Connor, who he defeated in the Republican primary last year. O’Connor issued a nonbinding opinion in December saying the state was within its rights to approve a religiously affiliated charter school. He based that opinion on several recent U.S. Supreme Court rulings dealing with public money and religious education.

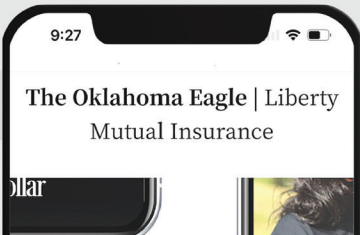
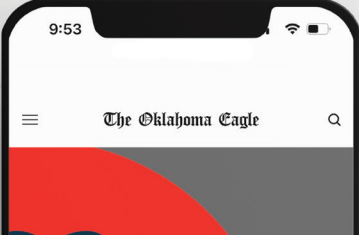
Oklahoma Gov. Kevin Stitt, meanwhile, applauded the board’s courage.

“This is a win for religious liberty and education freedom in our great state, and I am encouraged by these efforts to give parents more options when it comes to their child’s education,” Stitt said in a statement. “Oklahomans support religious liberty for all and support an increasingly innovative educational system that expands choice. Today, with the nation watching, our state showed that we will not stand for religious discrimination.”

Separately, Stitt on Monday signed Senate Bill 516, which would dissolve the Statewide Virtual Charter School Board and consolidate its functions into a new board with oversight of virtual and brick-and-mortar charter schools. That law takes effect July 1, 2024.

At the conclusion of Monday’s meeting, Franklin, the board chairman, said he would be resigning from the virtual board when the new law takes effect.

PAUL MONIES has been a reporter with Oklahoma Watch since 2017 and covers state agencies and public health. Contact him at (571) 319-3289 or pmonies@oklahomawatch.org. Follow him on Twitter @pmonies.





# Rentiesville: An Historic Oklahoma All-Black Town

By LARRY O'DELL, THE ENCYCLOPEDIA OF OKLAHOMA HISTORY AND CULTURE

**Red Bird, located in Wagoner County five miles southeast of Coweta, is one of more than fifty All-Black towns of Oklahoma and one of only thirteen still existing.**



Rentiesville, founded in 1903 and developed on twenty acres owned by William Rentie and twenty acres owned by Phoebe McIntosh, is located in McIntosh County five miles north of Checotah. The community is one of more than fifty All-Black towns in Oklahoma and one of thirteen still existing. Rev. N. A. Robinson, I. J. Foster, W. D. Robinson, and Rentie organized the townsite company with Robinson serving as president. J. J. Hudson opened the first mercantile business and became the first postmaster when the post office opened on May 11, 1904. B. C. Franklin followed Hudson as postmaster. By this time, as a flag stop on the Missouri, Kansas and Texas Railway, the town had five businesses

along Main Street, and eighty-one children were enrolled in the school. In 1905 the community elected F. P. Brinson as the first mayor, and Robinson succeeded Brinson in 1909. William Rentie, the town's only lawman, arrested Garfield Walker for drunkenness and disorderly conduct in 1908. Walker later shot and killed Rentie for revenge, taking away not only the marshal but also a principal founder and namesake. The town recovered and prospered for a time, boasting a lumber store, cotton gin, and many thriving businesses. The Great Depression and lure of opportunities in urban centers caused an exodus of citizens from Rentiesville. By the late 1930s the population

dwindled to 154, and the 1990 census reported 66 residents. A population boom occurred, with 102 residents by 2000 and 128 by 2010. The site of the Civil War Battle of Honey Springs is only a half-mile east of town. A noted attraction is the Down Home Blues Club of nationally famed Blues artist D. C. Minner. Every Labor Day weekend Minner hosts the Dusk 'til Dawn Blues Festival in the town. Rentiesville is also the birthplace of Dr. John Hope Franklin, dean of African American historians and author of the award-winning book From Slavery to Freedom.

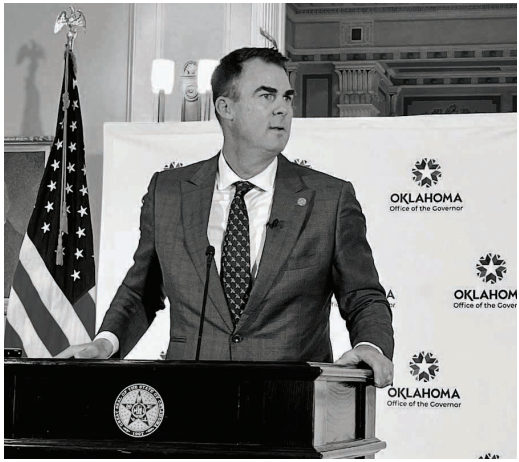
**THE OKLAHOMA HISTORICAL SOCIETY** is an agency of the government of Oklahoma dedicated to promotion and preservation of Oklahoma's history and its people by collecting, interpreting, and disseminating knowledge and artifacts of Oklahoma.

**JOHN HOPE FRANKLIN'S HOME**, in Rentiesville (21446.TO.M184.51.1.9, Larry O'Dell Collection, OHS).

## Featured Last Week



Tulsans Remember  
Tine Turner



'Tantrum': Legislature Overrides  
19 Stitt Vetoes



SCOTUS Decision Threatens to  
Erode Tribal Protections

The Oklahoma Eagle  
Enjoy articles, events  
and featured content  
online



### Online

**WEB:** www.theokeagle.com  
**FACEBOOK:** #TheOKEagle  
**TWITTER:** #OKEaglePaper

### Delivery

For questions about deliver, billing and our membership program, please contact us at +1 (918) 582-7124, ext. 241.

### Submissions

Submitted content may be edited for space, clarity and for considerations of liability. All submissions become the sole property of The Oklahoma Eagle, which reserves the right to run all or part of any submissions due to timeliness or newsworthiness.

### Letters to the Editor

Want to write a letter to be published in the paper and online? Email us online to submit.

### Advertising

For print and online advertising information, go to theokeagle.com/media-kit/ or call. +1 (918) 582-7124.

### The Newsroom

Know something important we should cover? Send an inquiry to theokeagle.com/subscribe.

## The Oklahoma Eagle

### Founded in 1921

**James O. Goodwin**

Publisher 1980-Present

**Robert K. Goodwin**

Publisher 1972-1980

**Edward L. Goodwin, Jr.**

Co-Publisher 1980-2014

**Edward L. Goodwin, Sr.**

Publisher 1936-1972

**Theodore B. Baughman**

Publisher 1921-1936

### Business

**M. David Goodwin**

Principal

**Ross D. Johnson**

Principal

**David W. Cole**

General Council

**Marsh Media**

Advertising

### News

**Gary Lee**

Managing Editor

**Ray Pearcey**

Sr. Contributor

**Nkem Ike**

Contributor

**Russell LaCour**

Contributor

**Victor Luckerson**

Contributor

**John Neal**

Contributor

### Photography

**Cory Young**

Photographer

### Print

**Sam Levrault**

Production Director

### Circulation

**Kirstein Lynn**

Subscription Manager

### Digital

**Web**

TheOKEagle.com

**Facebook**

TheOKEagle

**Twitter**

OKEaglePaper

### Contact

**Letters to the Editor**

editor@theokeagle.com

**Advertise**

advertise@theokeagle.com

**Circulation**

publishers@theokeagle.com

**Subscribe**

theokeagle.com/subscribe



# ALCHEMY'S \$68 MILION DEVELOPMENT PLAN HAD BEEN CANCELED

EVANS FINTUBE from A1



LOREM IPSUM lorem ipsum dolor. PHOTO SAM LEVRAULT MEDIA

TULSA - Just over a year ago, City of Tulsa officials approved of the bold plan to bring a sprawling center of retail stores, offices, residences, and a hotel to the heart of the Greenwood District. PartnerTulsa, the city’s organization charged with helping bring development projects to fruition, chose Team Alchemy, a Black-led group of developers, to fulfill its blueprint for bringing new life to the dilapidated Evans-Fintube building west of the intersection of Archer Street and

Greenwood Avenue. At the time, Mayor G.T. Bynum praised the project as “a new norm for developments all across our city.”

But last week, PartnerTulsa informed Team Alchemy that they would no longer be working together. Essentially, Alchemy’s \$68 million development plan had been canceled.

What happened? How was the most significant, Black-run development project in Tulsa in memory suddenly dropped? In this article, The Oklahoma Eagle addresses this question. It’s a topic that touches not just developers but all North Tulsans interested in the vitality and legacy of the community. In future coverage, we will seek to explore whether a grand plan for Evans- Fintube development can be revived and how the community can push to make that happen.

### Team Alchemy’s vision

Team Alchemy’s project centered around bringing grand new buildings to Greenwood. Their vision was designed to create a mixed-use mini-community sprawling over twenty-two acres. When completed, the new complex would dramatically enhance the look and appeal of the Historic Greenwood District.

But Team Alchemy’s vision was about far more than new construction. The plan was conceived to give new long, needed incentives to Tulsa’s Black residents and entrepreneurs. It was a way to engage Black developers front and center and create a path for Blacks to have ownership in a vital part of the history of Black Wall Street.

For more than a year, North Tulsa stalwart organizers Greg Robinson, CEO of Standpipe Strategies and Charles Lamont and Damali Wilson, senior officials at World Won Development, organized more than a half dozen public hearings, which engaged hundreds of North Tulsans, all focused on allowing North Tulsans to voice their wishes for what should be done with Evans-Fintube. The community’s overwhelming sentiment was that the plan should prioritize engaging Black construction firms. Beyond that, the project should allow Blacks to own a part of the new space.

In May 2022, Kian Kamas, Executive Director of PartnerTulsa, announced that Team Alchemy had been selected as the team to redevelop Evans-Fintube winning out over a half dozen others. Kamas cited the group’s commitment to fulfilling the North Tulsa community’s wishes to have ownership in the building and eventually in the dream itself as a key reason they were selected.

**The community’s overwhelming sentiment was that the plan should prioritize engaging Black construction firms. Beyond that, the project should allow Blacks to own a part of the new space.**

“People came to practice their businesses.... And so, we want to make sure that we also begin to rebuild today and forever honor them for their courage.”

FRANCHELL ABDALLAH, head of BeGood Development and a North Tulsa community advocate

Now that dream for a new Greenwood and promising cooperation between Black Tulsans and the city appears dead in the water.

### Differing views on what happened

How did such a dream concept unravel? Franchell Abdallah, head of BeGood Development and a North Tulsa community advocate who brought Team Alchemy together behind the project, said she is miffed at how it collapsed. “I’m not sure why the city took the action it did,” she said in an interview with The Oklahoma Eagle. “Only the city can explain that.”

Abdallah acknowledges that she has been devastated since the city announced that it no longer works with Team Alchemy. She told the Eagle she was unsure of the next steps.

Abdallah presented an adapted plan for city approval in a meeting with city officials in late May, 2023. She followed up with a formal request to the city to finally approve a contract for the plan.

On June 2, in a bid to jumpstart the project, Abdallah assembled a group of community activists near the Evans-Fintube site and staged a symbolic groundbreaking.

At the gathering, Abdallah emphasized that the project to create a new enterprise in Greenwood was inspired by the ancestors who created Black Wall Street in the early 1900s. “People came to practice their businesses,” she said. “And so, we want to make sure that we also begin to rebuild today and forever honor them for their courage.” She then called on those gathered to grab shovels and plant a tree to start the redevelopment project.

Meanwhile, around the same time, a few blocks away, PartnerTulsa’s Kamas and other city officials were preparing to end the project.

From Kamas’s perspective, the unraveling of the agreement should be no mystery to any of the parties involved. In an interview with the Eagle, Kamas said that in March of 2023, PartnerTulsa requested that Team Alchemy submit documents showing that it had partners who had experience bringing large-scale projects to fruition and had the financial resources to help make the project happen. Kamas explained that the RFP (request for proposal) of any significant project must have those elements. (An RFP is a document that announces a project, describes it, and solicits bids from qualified contractors to complete it.)

EVANS FINTUBE cont. A6





FRANCHELL ABDALLAH, head of BeGood Development and a North Tulsa community advocate. PHOTO SAM LEVRAULT MEDIA

# MOVING THE GOALPOST FOR TULSA’S “PEOPLE OF COLOR”

EVANS FINTUBE from A5

Team Alchemy asked for an extension from 30 to 120 days to answer the request. “But by May, the team had not reacted to provide us details on how they would fulfill the basic terms of the RFP,” Kamas said in an interview with The Eagle. “Neither we, nor any other partner can work with developers who can’t guarantee that they can meet those requirements,” she added. “That’s why we had to take the action we did.”

### Timeline of negotiations

In the interview with the Eagle, Kamas reviewed the timeline of PartnerTulsa’s negotiations with Team Alchemy from May 2022 to June 2023. In Kama’s account, a pivotal moment in PartnerTulsa’s working arrangement with Team Alchemy came in February 2023 when two significant members of Team Alchemy - Grayson Capital’s Michael Collins and J.E. Dunn Capital - both announced that they were leaving the project.

“The award of the RFP to Team Alchemy was based on the presence of a qualified team with robust experience and capital resources,” Kamas said. “We are evaluating the impact of the loss.”

“These two partners had brought both the experience of working with major projects and

the financial resources,” she said. “We were very sorry to see them go.”

Until those departures, Kamas said that talks with Team Alchemy had been going well and on schedule until those departures. The project was ahead of the time frame most large-scale projects take to get underway.

But Abdallah feels that from the beginning, Tulsa officials always held Team Alchemy to a higher, more stringent standard than they would other any other partner.

“The goalposts always move when it comes to the city dealing with people of color,” Abdallah said in an interview. “We’re always asked to jump higher and run faster.” She added that from the beginning, the city put constraints on the project’s scope, limiting Team Alchemy’s vision. Initially, team Alchemy had submitted a plan for a redevelopment of Evans-Fintube that would include an expansive complex, including a 42-story building, developed over three phases. But the city called on Team Alchemy to focus on just the first phase, the redevelopment of the Evans-Fintube Ironworks building.

With the news of the project’s cancellation, many prominent North Tulsans have questioned whether the city of Tulsa was ever committed to it.

“So far, it’s pretty clear that the city of Tulsa is not doing all it can to make this important project in Greenwood happen.”

“I hope this is not another example of the city pretending to work with a community-led group in a process only to turn its back on that process and go its way,” said Greg Robinson in an interview with the Eagle. Robinson has played a crucial role in garnering community engagement in the project.

“I also hope it’s not another case of what has happened in every stage of the development of Greenwood – that the city ignores the community.”

Charles Lamont recalled that during public discussions, North Tulsans expressed doubts that the city would be an honest broker in the process. “Eighty-five percent of North Tulsans said they did not think the city would hold up its end of the deal,” Lamont said. “It looks like they may have been right.”

But Kamas said she is committed to searching for a viable plan to revive the development of Evans- Fintube. PartnerTulsa is planning to hold a listening session on the project on Wednesday, June 15, at 6:30 at the Greenwood Cultural Center, at 322 North Greenwood. The public is invited.



COMMUNITY MEMBERS at the Evans-Fintube Ironworks building on June 2. PHOTO SAM LEVRAULT MEDIA



# The state and tribes could be barreling back into the courtroom



*“Significant majorities in both chambers of the Legislature voted to extend tobacco and vehicle compacts for one year because they provide important, ongoing benefits for the people of Oklahoma...By vetoing these bills, Gov. Stitt has once again put his personal hostility to tribal sovereignty ahead of what is good for the state and what is good for the tribes.”*

- **CHIEF GARY BATTON**, Choctaw Nation

STATE-TRIBAL TOBACCO COMPACTS from AI

following the 2020 U.S. Supreme Court ruling in *McGirt v. Oklahoma*, the state and tribes could be barreling back into the courtroom for new showdowns over compacting authority, tobacco taxation and reservation designations.

Oklahoma Gov. Kevin Stitt says he wants to negotiate new compacts with sovereign tribal nations regarding taxes on tobacco products and motor vehicle registrations, but leading tribes balked at his proposed changes and instead convinced Oklahoma House leaders to push a four-year extension that would kick negotiations beyond Stitt’s new term in office. Leaders of the State Senate, however, were frustrated by the attempted end-run, instead agreeing to extend all tobacco and motor vehicle compacts one additional year through Dec. 31, 2024.

Last week, Stitt vetoed a pair of bills that would do just that, leaving legislative leaders to decide later this month whether they will override Stitt’s vetoes, as they did 19 times at the end of the year’s regular session. Regardless, the latest state-tribal compact dispute may end up in court one way or another.

“I believe that, if these compacts expire, the chance of litigation goes up dramatically,” Senate Floor Leader Greg McCortney said May 24 while presenting one of the compact extension bills.

Two days later, lawmakers formally sent Stitt SB 26X and HB 1005X during their budget-related special session, even though neither appears to meet the three appropriation-specific reasons listed in the special session call.

Stitt started his June by vetoing both measures, claiming “clear violation of Oklahoma’s fundamental and statutory law” and “circumvention of the executive’s authority to negotiate compacts.”

In his SB 26X veto message, Stitt mentioned the *McGirt* SCOTUS decision that functionally affirmed the existence of eight reservations in eastern Oklahoma as Indian Country, a crucial distinction in federal law:

*Enrolled Senate Bill 26X purports to extend existing and expired tobacco tax compacts. Both because this bill amounts to a circumvention of the executive’s authority to negotiate compacts and is not in the state’s best interests, I must veto it.*

*As enacted, Senate Bill 26X would rubberstamp pre-McGirt compacts containing the very language five of the state’s 38 federally recognized tribes have relied upon to challenge, in *Stroble v. Oklahoma Tax Commission*, the state’s right to collect income tax within its territory.*

Tribal leaders fired back, with Choctaw Nation Chief Gary Batton saying Stitt has “personal hostility” toward sovereign tribal nations, with which he has clashed since

attempting to renegotiate casino gaming compacts in 2019.

“Significant majorities in both chambers of the Legislature voted to extend tobacco and vehicle compacts for one year because they provide important, ongoing benefits for the people of Oklahoma,” Batton said in a statement. “By vetoing these bills, Gov. Stitt has once again put his personal hostility to tribal sovereignty ahead of what is good for the state and what is good for the tribes.”

Chickasaw Nation Gov. Bill Anoatubby said lawmakers overriding the vetoes would help “avoid extended litigation” between the state and tribes.

“We applaud the Oklahoma Legislature for voting to extend these proven compact agreements which have brought numerous benefits to Oklahoma and tribal nations for decades,” Anoatubby said in a statement. “These thoughtfully negotiated agreements are designed to effectively balance the rights and responsibilities of tribal and state governments, which enables both governments to avoid extended litigation and serve our citizens more efficiently. We encourage the Legislature to continue taking the lead on this important issue by overriding this veto.”

**McCortney: ‘I believe these compacts have worked very well’**

While veto messages and critical press releases frame a political picture of feuding heads of state, the background and functional details of state-tribal compacts on tobacco taxes are much more complicated.

To that end, the hour-long presentation of SB 26X in the Oklahoma State Senate featured extensive questions and passionate debate among those proposing and opposing the compact extensions.

“I believe these compacts have worked very well for many years,” said McCortney (R-Ada). “I guess that I would say [if] they end, there could still be negotiations ongoing to try to enter into a new one. But I believe that if they expire, the chances of a lawsuit would probably go up quite significantly.”

Sen. Shane Jett (R-Shawnee) questioned McCortney about how tobacco taxes are collected and how the compacts estimate sales to tribal citizens.

“The state of Oklahoma wires back \$17 million to just two tribes — \$6 million to the Chickasaw Nation (...) and \$9 million to the Choctaw,” Jett said, appearing to be off about \$2 million mathematically. “If they didn’t do the compact, wouldn’t the state of Oklahoma just keep that \$17 million?”

McCortney replied: “No, that \$17 million would have never existed if it were not for the compact.”

Underscoring the complex nature of how excise taxes

are collected on tobacco, neither Jett’s question nor McCortney’s answer was fully accurate.

**A landmark Supreme Court case in 1991**

Federal law exempts tribal citizens from paying state excise or sales taxes on tobacco products purchased on Indian Country land as defined by 18 U.S.C. 1151. Federal law also allows states to tax non-tribal citizens who buy tobacco from tribal businesses in Indian Country. There are 38 federally recognized tribes headquartered in Oklahoma, and a 1991 landmark U.S. Supreme Court case — *Oklahoma Tax Commission v. Citizen Band Potawatomi Indian Tribe of Oklahoma* — affirmed states’ rights to tax non-tribal citizens who purchase tobacco on tribal land.

After the SCOTUS ruling, tribal nations and the state of Oklahoma began signing tobacco tax compacts in 1992 as an effort to establish rules for tax collection and administration. Under the compacts, all businesses pay taxes when they buy tobacco products from wholesalers, who remit the taxes to the state. Tribes then receive a rebate from the state at a percentage rate specified by their compact. Many of the initial compacts from the early 1990s established that tribes owed the state an equivalent of 25 percent of all applicable excise taxes on tobacco sold by their nation or businesses with majority ownership among tribal citizens.

Subsequent decades have seen notable changes and legal drama. When Gov. Brad Henry’s office negotiated a slate of new 10-year compacts in 2003, they retained the 25 percent payment portion and added stipulations exempting some tribes from paying the tax in various circumstances, including an exemption in the Choctaw and Chickasaw compacts for sales made within 20 miles of the Texas border until Texas increased its tobacco taxes.

A 2005 disagreement over the cost of cigarette tax stamps stands among the most contentious state-tribal tobacco compact disputes. After State Question 713’s tobacco tax increase was approved by Oklahoma voters in 2004, the state’s tobacco compacts with tribes functionally created six different compact tax rates ranging from 6 cents to 86 cents per pack.

The 6-cent stamps were reserved for border stores in competition with low-tax states. However, the different tax rates proved difficult to enforce, and 6-cent tax stamps were found on cigarette packs in tribal stores miles away from state borders. Some tribes chose not to sign a compact.

The Muskogee (Creek) Nation was among those that did not sign a tribal compact with the state, and the nation filed a federal lawsuit over the issue as the state tried to force the tribe into signing a compact. Talk grew of the state setting roadblocks outside the tribe’s smoke shops in Tulsa to confiscate cigarettes without the appropriate tax stamp, but state leaders chose other action instead.

In 2009, agents from the Oklahoma Tax Commission seized about \$40,000 worth of cigarettes from the Muskogee (Creek) Nation, and in 2010 the Oklahoma Tax Commission seized 77 cases of cigarettes that were on their way to smoke shops on the Muskogee (Creek) Nation. The commission said the retailers were selling the cigarettes without state tax stamps, and the product was valued at \$103,000, according to a search warrant.

In 2009, the state created a different statutory process for estimating and collecting tobacco taxes from noncompacting tribes.

Like Stitt, former Gov. Mary Fallin’s administration saw tobacco compact negotiations with tribes extend more than a year. In late 2012, she sent tribes letters notifying them that she would not renew the Henry administration’s tobacco compacts. One-year extensions were reached by Fallin and many tribes in 2013 as talks continued.

When dozens of new agreements were signed in 2013 and 2014, many included stair-stepped increases in the percentage of taxation retained by the state, with the percent increasing steadily from a 30 percent share to the 50 percent share currently in effect.

**‘I don’t think anyone knows the percent’**

During his questioning of McCortney on May 24, Jett said the current compacts estimate that 50 percent of tobacco sales at tribal casinos and smoke shops are made to tribal citizens. Jett, a Cherokee Nation citizen, questioned how that could be even remotely reflective of reality when only 10 to 15 percent of Oklahomans — not including Texans who buy smokes at casinos — are tribal citizens.

“I would agree that a higher percentage of tribal members would probably buy at their own smoke shop, but just by pure distribution of probabilities, most of their customers are going to be non-native Oklahomans,” Jett said.

Underscoring the function of the compacts, McCortney said, “I do not think anyone knows the percent” of tribes’ tobacco customers who are tribal citizens.

“The (tobacco) wholesalers pay the tax — 100 percent of the tax, and then 50 percent of the tax is rebated back,” McCortney said. “If these compacts did not exist (...) zero percent of the product sold to tribal members would be taxed if it were not for the compact. Therefore, none of that money would ever hit the coffers of the Oklahoma Tax Commission.”

But McCortney’s remark failed to consider the 2009 alternative to tobacco tax compacting that the Oklahoma Legislature created in state statute. Perhaps even more complicated than compacts, the law allows for tribes to remit excise taxes to the state based on mathematical calculations involving tribal membership, state smoking rates and cigarette consumption rates:

*The probable demand for Native American tax free stamps for each noncompacting tribe or nation shall be determined by the Tax Commission by ascertaining the total membership in Oklahoma of the tribe or nation from the Bureau of Indian Affairs or other reliable source of public information regarding such membership, and multiplying that number by the percentage of smokers in Oklahoma or in the United States, whichever is greater, based on the most recent data available from the State*

STATE-TRIBAL TOBACCO COMPACTS cont. A8





VINTAGE CIGARETTE VENDING MACHING PHOTO ADOBE STOCK

# Stitt’s ‘Personal Hostility’ toward sovereign tribal nations

With tobacco compacts signed by the Choctaw Nation, Chickasaw Nation and 14 other tribes set to expire by the end of this year, the question of whether to renew or amend the agreements has hung awkwardly in the air between Stitt and those nations’ leaders who endorsed Joy Hofmeister over Stitt last year.

## STATE-TRIBAL TOBACCO COMPACTS *from A7*

*Department of Health and/or other reliable source of public information.*

*The product of that calculation shall be multiplied by the average yearly consumption of cigarettes by smokers in Oklahoma or the United States, whichever is greater, based on the most recent data available from the State Department of Health and/or other reliable source of public information. The resulting number shall be deemed to constitute the probable demand for Native American tax-free stamps of such noncompacting tribe or nation for a calendar year.*

It’s unclear whether any tribes are currently complying with that state tobacco taxation requirement instead of compacts.

Meanwhile, on the enforcement front, a 2014 Oklahoma Supreme Court decision upheld a \$47.4 million judgment against the Sac and Fox Nation for selling contraband cigarettes.

### Echols: ‘Find a way to stabilize tribal relations’

With tobacco compacts signed by the Choctaw Nation, Chickasaw Nation and 14 other tribes set to expire by the end of this year, the question of whether to renew or amend the agreements has hung awkwardly in the air between Stitt and those nations’ leaders who endorsed Joy Hofmeister over Stitt last year and spent millions of dollars in pursuit of his defeat.

Rumors of Stitt wanting to renegotiate the tobacco and motor vehicle compacts percolated this legislative session, but the topic only reached public discussion when the Oklahoma



SENATE FLOOR LEADER GREG MCCORTNEY (R-ADA) reacts speaks with Sen. George Young (D-OKC) on the Senate floor Tuesday, April 25, 2023. PHOTO MICHAEL DUNCAN

Legislature revealed its first major slate of budget bills May 16. To the surprise of many — including some tribal nations with tobacco compacts — the House had filed bills to extend the state-tribal tobacco and motor vehicle compacts until Jan. 1, 2028, when Stitt would be out of office.

In the House’s Joint Committee on Appropriations and Budget meeting, Majority Floor Leader Jon Echols (R-OKC) presented the tobacco compact bill first. Although it only had been posted publicly less than two hours earlier, Echols breezed into a motion to pass the measure without even saying it dealt with tobacco taxes or tribal compacts.

“Everybody was fully aware of what the bill did,” Echols said later when asked why he chose not to describe the compact bill when presenting. “We do need to find a way to stabilize tribal relations between the state government and our tribal partners, but Speaker (Charles) McCall will have to answer on that one. It’s his bill.”

Senate leaders were less pleased by the House’s attempt to fast-track a four-year extension of the tobacco and motor vehicle compacts, and they chose not to hear the versions posted May 16.

“We were a little caught off guard with that JCAB bill. I had known the issue was out there. The speaker and I had briefly talked about the issue, but I didn’t know they were going to put them in JCAB,” Senate President Pro Tempore Greg Treat (R-OKC) told media. “We had been in talks about whether we can narrow that window a little bit to where it’s not a five-year extension but something shorter so that we can get our arms around what the real ramifications

are. Obviously, it could have an adverse budget impact if we don’t get compacts renewed at some point. I’m open to extending them for some period shorter — probably a year.”

Ultimately, that’s what House and Senate leaders agreed to with SB 26X and HB 1005X, but not before Stitt sent May 18 letters and new compact proposals to Anoatubby and Batton, the Chickasaw governor and the Choctaw chief. In each letter, Stitt referenced visits with Anoatubby (late February) and Batton (March 1) at the Governor’s Mansion, which he said involved conversations over the tobacco compacts.

“The understanding reached in those conversations was that substantive dialogue about the tobacco compact, which is set to expire December 31, 2023, would occur in June 2023,” Stitt wrote each leader. “Although we were looking forward to good faith conversations at that time, and still welcome those discussions, we recently learned that some have engaged the Legislature in lieu of the discussions planned for June.”

Attached to his letter, Stitt included signed versions of a proposed one-year amended compact that would retain the current 50 percent state-tribe taxation split. But Stitt’s proposed amendment addressed a broader issue that concerns his administration, even though he omitted reference to it in his letters.

Throughout the history of Oklahoma’s tobacco compacts, the agreements have been specified for tobacco sales from tribe-owned establishments within “the Nation’s Indian Country” as specified in 18 U.S.C. 1151. That federal statute encompasses three types of land:

STATE-TRIBAL TOBACCO COMPACTS *cont. A9*



# JurisdictionIssues

Stitt compact extension offers included a proposed modification of the “compact jurisdiction” definition limited to historic allotment land and tribal land held in trust by the

The provisions of this Compact shall establish and govern the rate of taxation and payment of taxes to the Nation and the State on the retail sales of cigarettes and other tobacco products in the Nation’s Indian Country as defined by federal law, including 18 U.S.C. § 1151, hereinafter referred to as “Compact Jurisdiction,” when said retail sales are made by the Nation.



## STATE-TRIBAL TOBACCO COMPACTS from A8

1. All land within the limits of any Indian reservation under the jurisdiction of the United States government;
2. All dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof;
3. All Indian allotments, the Indian titles to which have not been extinguished.

In 1980, the U.S. 10th Circuit Court of Appeals ruled in *Cheyenne-Arapaho v. the State of Oklahoma* that land held in trust by the federal government for the benefit of a tribe meets the Indian Country legal definition. But with the U.S. Supreme Court’s 2020 *McGirt v. Oklahoma* affirming that Indian Country reservations in eastern Oklahoma still exist, the Stitt administration views the language in the current state-tribal tobacco compacts as problematic:

*The provisions of this Compact shall establish and govern the rate of taxation and payment of taxes to the Nation and the State on the retail sales of cigarettes and other tobacco products in the Nation’s Indian Country as defined by federal law, including 18 U.S.C. § 1151, hereinafter referred to as “Compact Jurisdiction,” when said retail sales are made by the Nation. (Emphasis added.)*

Instead, when Stitt sent compact extension offers to Anoatubby and Batton on May 18, he proposed a modified “compact jurisdiction” definition limited to historic allotment land and tribal land held in trust by the federal government:

*The provisions of this Compact shall establish and govern the rate of taxation and payment of taxes to the Nation and the State on the retail sales of cigarettes and other tobacco products in the Nation’s Indian Country as defined herein, i.e., as lands owned by the Nation and/or its members which are held in trust by the United States, or which are owned by members of the Nation and are subject to restricted title.*

Stitt’s team has pointed to a pair of amicus briefs filed by the Five Tribes in support of a Muscogee Nation citizen whose case claiming exemption from state income taxation is before the Oklahoma Supreme Court. The Chickasaw, Choctaw and Cherokee nations filed one amicus brief supporting Alicia Stroble, arguing that “the definition of Indian Country applied to state tax laws before *McGirt* was decided.” The Muscogee Nation and the Seminole Nation filed a separate amicus brief, which featured a subhead titled, “*McGirt’s* application of §1151 is not limited to the MCA.” The tribes’ attorneys wrote:



*The [Major Crimes Act] does not define Indian country. Therefore, McGirt examined whether the Creek Reservation meets the definition of Indian country set forth in §1151. In holding that it does, the court did not purport to undertake an MCA-specific application of §1151. It instead sought to interpret and apply “§1151(a)’s plain terms,” which make clear that, so long as they remain in existence, federal Indian reservations are Indian country.*

In his veto message on SB 26X’s proposed tobacco compact extension, Stitt pointed to the amicus briefs as clear indication of how tribes’ view the civil-law jurisdiction issues involving their affirmed reservations. “Although I believe the tribes’ arguments in Stroble are without merit, to legislate as though at least those few tribes are not prepared to lodge the same argument in the tobacco tax context (and likely elsewhere) is at best unwise,” Stitt wrote. Kate Vesper, Stitt’s press secretary, said the SCOTUS ruling in *McGirt v. Oklahoma* expressly limited its impact for “purposes” of criminal jurisdiction. “A few tribes have shown they will point to language contained in pre-*McGirt* tobacco tax compacts to significantly expand geographical boundaries within which they will claim tax advantages or full exemptions,” Vesper said. “Although those tribes’ arguments are fundamentally and legally wrong,

the state would be unwise to not update compact language to ensure the state’s century-plus old tax structure isn’t disrupted.” Ultimately, SB 26X and HB 1005X passed both chambers with the supermajority support that would be needed to override Stitt’s vetoes if lawmakers return to special session June 12 as planned. Sen. Mary Boren (D-Norman) debated in favor of SB 26X. An attorney, she said extending the compacts by one year would afford Stitt and tribal leaders more time to reach an agreement and avoid litigation. “I think the issue is do we want these negotiations to be in board rooms where our executive CEO of the state of Oklahoma can negotiate the compact, or do we want these negotiations to go into courtrooms?” Boren said.

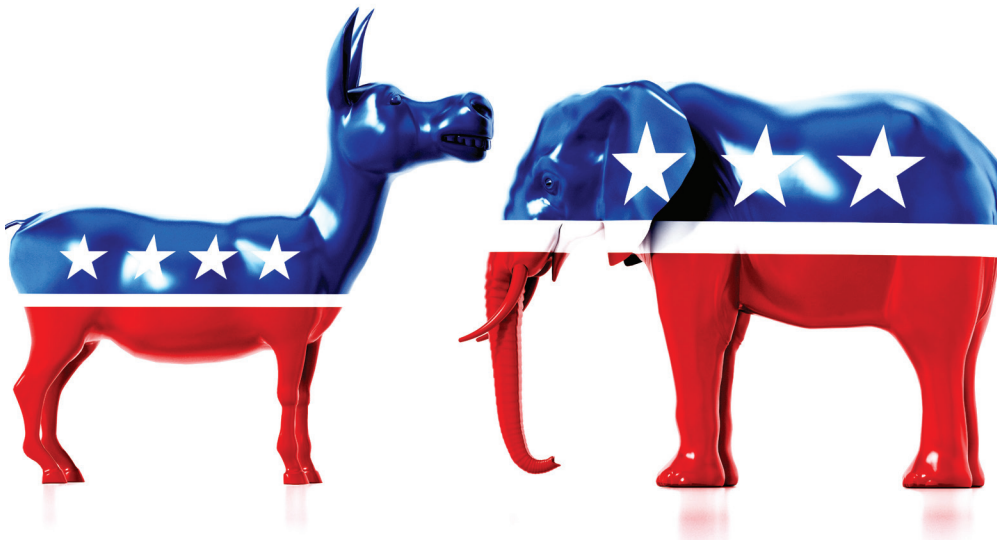
**WILLIAM W. SAVAGE III (TRES)**, ahas served as the editor in chief of NonDoc since the publication launched in September 2015. He holds a journalism degree from the University of Oklahoma and covered two sessions of the Oklahoma Legislature for eCapitol.net before working in health care for six years.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

## HOW BILLS AUTHORED BY DEMOCRATS FARED IN 2023

By KEATON ROSS, OKLAHOMA WATCH  
2023 DEMOCRAT BILLS from A2

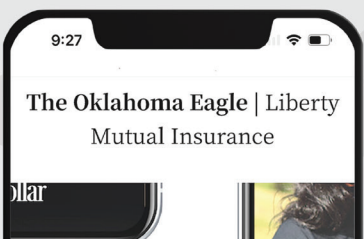
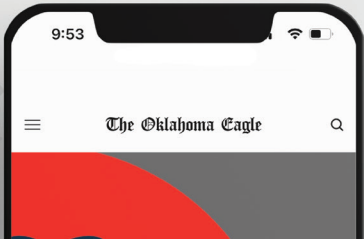
From securing a committee hearing to finding support in the opposing chamber, bills face several hurdles in their quest to become law. In Oklahoma’s GOP-controlled Legislature, struggles can be pronounced for minority party members. Last June, Oklahoma Watch reported that just a handful of Democratic-authored bills reached the governor’s desk in 2022. The trend has continued as a Republican supermajority in both chambers has grown. With the 2023 regular session concluded, I decided to see how measures authored by Democrats fared this year. Fifteen bills with a Democrat as the original lead sponsor reached the governor’s desk this year, a slight uptick from 2022, when just a dozen of such measures cleared the Legislature. Bills clarifying that fentanyl test strips are

not drug paraphernalia, streamlining local rules for in-home daycares and authorizing the construction of a trail connecting all-Black towns and locations significant to the civil rights movement in Oklahoma are among the Democrat-led measures that found success. Oklahoma Democrats don’t have the numbers to block a bill or thwart a veto override. But their floor debate can occasionally sway Republican colleagues. That happened on May 16, when several House Democrats debated against a bill they feared would give the governor unchecked power to launch investigations against political opponents. House Bill 1976 failed on a 30-63 vote, a rarity in a state where bills are typically only heard if they have the support to pass. “When you consider our size, I think we outperform quite often,” Senate Minority Leader Kay Floyd, D-Oklahoma City, told Oklahoma Watch last year. “Our debates are pointed, they are researched and even though we can’t sway a vote, it doesn’t mean our constituents aren’t

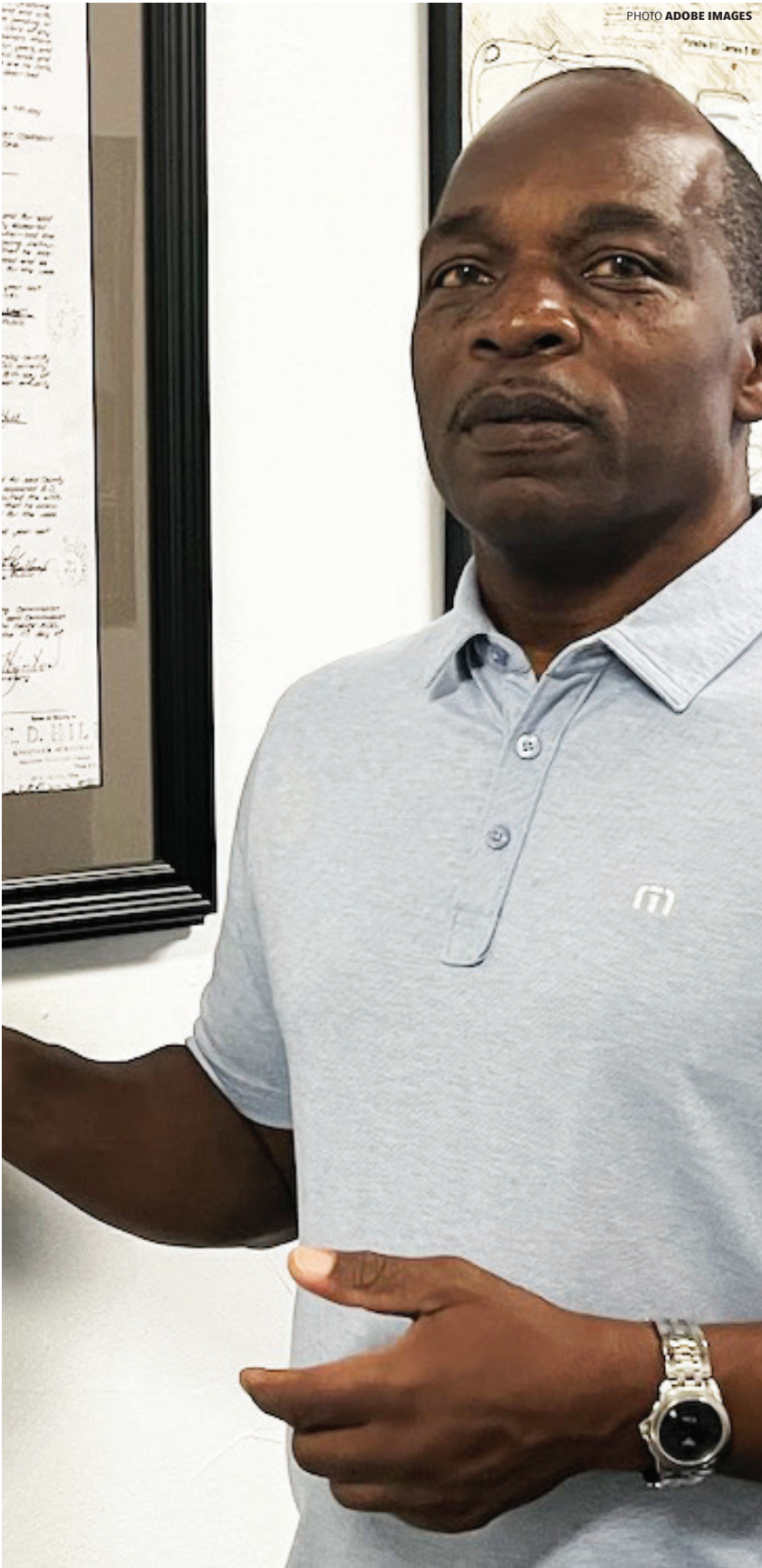


being heard and it doesn’t mean we can’t sway public opinion on occasion.” As we wind down from the 2023 regular legislative session, I have plans to report on the impact of what lawmakers did and didn’t do. What bills taking effect this year do you think will benefit Oklahomans? Is there any legislation you’re concerned about? Let me know at [kröss@Oklahomawatch.org](mailto:kröss@Oklahomawatch.org).

**DEMOCRAT AND REPUBLICAN ICONS** standing, one before the other, advancing their respective agendas. ILLUSTRATION **ADOBE STOCK**







**WAYNE FROST**, the owner of Frost Auto Accessories and Design, highlighted the racially restrictive covenant on his property's plat and hung it on the wall of a lounge room within his business.  
PHOTO **JOE TOMLINSON**

# NEW LAW LETS OKLAHOMA PROPERTY OWNERS REPUDIATE RACIST LANGUAGE IN LAND RECORDS

By **JOE TOMLINSON**, NonDoc

## RACIST LANGUAGE

A bill recently signed into law will allow Oklahoma property owners to repudiate discriminatory language within land records by filing a declaration with their county clerk. Authored by four members of the House of Representatives and three senators, HB 2288 was signed May 22 by Gov. Kevin Stitt and will become effective Nov. 1. The bill's lead author, Rep. John Pfeiffer, said he read a NonDoc article in July about a Black Edmond businessman who came across a racially restrictive covenant on his business property's plat. "I read the article. Parts of it made me mad about the state, and I thought, well, we can fix it," said Pfeiffer (R-Orlando).

Although a 1948 U.S. Supreme Court decision declared such language unconstitutional and unenforceable, many land documents created under segregation still state that only Caucasians are allowed to own certain property. Some states have created processes to remove or repudiate those discriminatory covenants, with Oklahoma being the most recent.

Once the law takes effect Nov. 1, Oklahoma property owners may file a declaration with their county clerk stating that any discriminatory language in their property's plat or abstract is "extinguished and severed from the recorded real estate conveyance or instrument."

Upon filing the declaration, a repudiation document stating the referenced discriminatory covenants are null and void will be included within public land records related to the subject property.

The Oklahoma Land Title Association was involved in conversations surrounding how best to address racist language in land records.

"HB 2288 allows property owners the simplest and most economical way to renounce these old discriminatory covenants by publicly asserting their repudiation of these illegal and unconstitutional restrictions," said J.T. Beard, president of the Oklahoma Land Title Association. "This new law provides a practical approach to eliminate those restrictions and continue to defend private property rights without putting an immense burden on the public recorders or unnecessary costs to consumers."

With HB 2288, Oklahoma joins several states that have created pathways for property owners to address racist language in land records, including deeds, abstracts and other documents. Those states include Texas, Florida, California and Indiana.

"Oklahoma is a leader among other states who are struggling to find effective solutions by the adoption of its 'recorded repudiation' approach in HB 2288, which permits a homeowner to record a new document in the public records, indeed in the current chain of title, that provides notice to the world that the discriminatory and obnoxious restrictive covenant is unenforceable," Beard said.

Pfeiffer stated on the House floor May 16 that he and other legislators worked with real estate agents, abstractors and county clerks "to clear this up to make sure we have a way to get rid of discriminatory language out of covenants and conveyances."

While the language will remain in official land records maintained by county clerks, filing a declaration will allow future copies of deeds, plats or abstracts to be reprinted without the discriminatory language, Pfeiffer told NonDoc.

"Once you have that declaration in there, future copies, they don't have to have that language in there," Pfeiffer said. "The official land deed at the courthouse has that paper, and then any time you get a copy, they don't have to copy it over because there is a declaration in the official paper."

According to HB 2288, the property owner may file such a declaration:

1. Prior to recordation of a deed conveying real property to a purchaser; or
2. When such real property owner discovers that such discriminatory restrictive covenants exist.

In the prescribed declaration, property owners must list the name of the county where the property is located, the date of the instrument containing the discriminatory restrictive covenant, the instrument type — such as a deed or abstract — and other information about where the instrument is recorded.

Reps. Daniel Pae (R-Lawton), Eric Roberts (R-OKC), Cyndi Munson (D-OKC), and Sens. Brent Howard (R-Altus), Joe Newhouse (R-Tulsa) and George Young (D-OKC) co-authored the measure.

Pfeiffer praised those who helped push the bill through to the governor's desk.

"I just want to say a thank you to the county clerks who helped me work through some of the issues and the Oklahoma REALTORS Association who helped lobby the bill because they wanted to see this stuff fixed," Pfeiffer said. "And thank you [NonDoc] for writing the story and bringing this up and bringing it to our attention that something needed to be done about this."

### Frost: 'I can say something to help make a difference'

Wayne Frost, a Black business owner in Edmond, found a racially restrictive covenant on his own property's plat while seeking to expand his auto accessory business in 2021. Frost's story ultimately led to Pfeiffer's bill.

Restriction No. 6 of the Leavitt's North Park Addition plat reads:

*No person of any race, other than the Caucasian or American Indian shall ever own, use, or occupy any land or structure in this addition except that this covenant and restriction shall not apply to nor prevent occupancy of domestic servants of a different race domiciled (sic) with an owner or tenant.*

"That language really offended me," Frost said. "It offends me, and it should offend anybody of any race that's being excluded only because the color of their skin."

When Frost first purchased his property at 4646 Rhode Island Ave. in Edmond and picked up the plat language, he said he didn't read it. Frost found the discriminatory language when purchasing the abutting lot behind his business in 2020 with plans to expand his business.

Frost said he asked a receptionist at the Oklahoma County Clerk's Office whether the language could prevent his planned business expansion. While Frost was assured the covenant was unenforceable, the racially restrictive language discouraged him.

"I personally think it should be eradicated from all covenants in any neighborhood that still harbors that offensive language," Frost said.

Ultimately, Frost decided to highlight the racially restrictive covenant and hang the document on the wall of a lounge room within his business.

"It symbolizes two different things," he said. "The first thing it symbolized is where Edmond was and where our country was at that time. To have that to remind me where we are today — even though it's still on the books — it gave me a driving force to try and do something about it."

Frost said hanging the plat in his business kept the language on his mind.

"It reminded me every day when I walk into the office, if I can talk to somebody, if I can say something to help make a difference — that would just keep motivating me to keep it in the forefront of my thoughts to just help make a change for the city of Edmond and the state of Oklahoma," Frost said. "If I could get somebody to listen to me, then my job is done."

Frost said he intends to file a declaration at the Oklahoma County Clerk's office Nov. 1.

"To have this transpire — this new legislation — it will definitely give me peace of mind knowing going forward that any time I buy property, I won't have to worry about seeing that type of language which will definitely intimidate me," Frost said. "It means a great deal knowing that we are as a state working towards the inclusion and diversity of all people. That means a lot to me being an African American."

### 'A reminder of Edmond's past'

When the Leavitt's North Park Addition subdivision was platted in 1947, Edmond was widely recognized as a sundown town, meaning Black people faced intimidation and threats for being visible in the community after sunset. A number of Oklahoma towns, such as Norman, were considered sundown towns for much of the 20th century. Racially restrictive covenants were included in many housing additions across Oklahoma and throughout the country.

Edmond's first housing addition platted with a racially restrictive covenant was the Highland Park Addition in 1907. Excluding the Edmond Highway Addition in 1924, every neighborhood platted in Edmond from 1911 until 1949 contained a racially restrictive covenant.

In 1948, the U.S. Supreme Court ruled in Shelley v. Kraemer that enforcement of discriminatory covenants based on race violates the Equal Protection Clause of the 14th Amendment.

When President Lyndon Johnson signed the Fair Housing Act on April 11, 1968, that legal precedent was codified into law.

Frost, who relocated from southeast Oklahoma in 1977, said he remembers seeing an old, faded sign east of Interstate 35 near Arcadia stating, "Sundown town."

"So, when people were leaving Arcadia from the east heading to the west to get into Edmond city limits, it was still a reminder of Edmond's past," Frost said.

In its 2023 legislative agenda, the Edmond City Council outlined its support for legislation that allowed "for expungement of discriminatory restrictive covenants from public land records."

Edmond Mayor Darrell Davis, who became Edmond's first Black mayor when he was elected in 2021, praised the legislation passed this session at the State Capitol.

"The signing of HB 2288 is a step in the right direction of correcting the historical discriminatory language of our past that prevented African Americans and other ethnic groups from having the ability to live where they wanted to live and own property," Davis said. "I am appreciative that property owners can now take legal steps to have this language removed from their property records."

In a press release, Oklahoma Association of REALTORS President Julie Smith celebrated HB 2288 and thanked legislators as well as Davis for advocating for the bill.

"Oklahoma REALTORS have been at the forefront of the drive for HB 2288's passage," Smith said. "This victory is a tremendous milestone for Oklahoma and is a significant stride toward fairer housing in our state."





RYAN WALTERS, Oklahoma Superintendent of Public Instruction. ILLUSTRATION THE OKLAHOMA EAGLE

# Two state Education Department employees who were fired last week have filed lawsuits against Superintendent Ryan Walters and Matt Langston, his chief policy advisor and former campaign manager.

STAFFERS, WALTERS LAWSUIT *from. A2*

On Thursday, Langston emailed employees of the agency, threatening any employee “found leaking information to the press” with immediate termination. Langston sent slightly different versions of the email in an apparent “canary trap”, an idea he got from Elon Musk, according to Langston’s Twitter posts.

Musk is CEO of Tesla and owns Twitter, both private companies. The state Education Department is public agency.

Both employees were subsequently fired.

Cheryl McGee, an executive director of school-based mental health, says she was let go May 25 for sharing the “keep quiet” email

with the press, according to her lawsuit.

Matthew Colwell, a program manager of school success, was fired for sending a memo to the state Attorney General and a state representative, sharing concerns that Walters’ proposed teacher bonus plan ran afoul of state and federal laws and could cost the state \$18 million.

Both employees say their firings were unlawful and retaliatory and violated their right to free speech under the First Amendment, according to the lawsuits, filed Tuesday in federal court.

A spokesman for the department, Justin

Holcomb, called their claims “a political stunt with no legal merit.”

Walters announced the teacher bonus plan on April 26 in Warner. According to the department, new and returning certified teachers can earn significant bonuses of up to \$50,000 if they commit to teaching for five years.

The Department allocated \$16 million in federal funds for the program: unused pandemic relief funds (from the American Rescue Plan) and special education dollars. Oklahoma Watch has been asking the Department for records that show they have

authorization to use the funds in this way for weeks, but they have not been provided.

Walters is already touting the program as a success, saying it has received more than 500 applicants. As I continue reporting on the program, I’d love to hear from you. Did you or someone you know apply? Please reach out via email or direct message.



CHUCK HOSKIN JR., Cherokee Nation Principal Chief. PHOTO WIKIPEDIA IMAGES

## ELECTIONS

# Chuck Hoskin Jr., Bryan Warner Reelected as Cherokee Nation Principal Chief, Deputy Chief

*By* **KATRINA CRUMBACHER, NonDoc**

**CHEROKEE NATION ELECTIONS** *from AI*

Incumbent Cherokee Nation Principal Chief Chuck Hoskin Jr. and incumbent Deputy Chief Bryan Warner fought off three challengers each and have been reelected for a second term, according to unofficial results of Saturday’s general election that were released early Sunday morning. Meanwhile, three Cherokee Nation Tribal Council elections are headed to a runoff July 8, while five other council seats were decided Saturday.

The 2023 Cherokee Nation general election saw a 21.7 percent increase in voter turnout compared to 2019. Out of the roughly 78,400 registered voters within the Cherokee Nation, nearly 16,800 people voted in Saturday’s principal chief election, a marked increase from

the 13,795 voters who cast ballots in 2019.

The unofficial results do not include challenged ballots. The results will be considered official after they are certified by the Cherokee Nation Election Commission. The deadline to request a recount is set for Wednesday, June 7. Elected officials are expected to be sworn in on Aug. 14.

Owing to term limits, Hoskin and Warner will be ineligible to run for their current positions again until 2031.

**Four more years for Principal Chief Chuck Hoskin Jr.**

The Cherokee Phoenix was the first to announce Hoskin’s reelection, calling it a landslide.

Despite facing three challengers critical of his first term as chief, Hoskin garnered 10,556 votes (62.9 percent) and avoided a runoff

election. Hoskin’s margin of victory was even higher than when he was first elected in 2019 with 57.51 percent support.

No other principal chief candidate even came close. Cara Cowan Watts finished second with 4,008 votes (23.88 percent). District 3 Tribal Councilor Wes Nofire (9.97 percent) and David Cornsilk (3.25 percent) received 1,673 votes and 546 votes, respectively.

“I’m really pleased with the results, and I think it indicates that the Cherokee people are approving of the direction we’re going,” Hoskin told the Cherokee Phoenix. “That, I think, validates a lot of the work we’ve done the last four years, so we can build on that. So I feel really good this evening.”

Hoskin told the tribal newspaper that he hopes to “do what we can to unify the Cherokee Nation.”

“Cherokee people are always going to have differences of opinion, but I think coming out of this race, we can focus on what the Cherokee people expect us to do,” he said. “I think we all have a role in that whether we are serving in elected office or not.”

### Deputy Chief Bryan Warner also wins reelection

Closely mirroring his running mate, Deputy Chief Bryan Warner also won reelection outright with 10,300 votes (61.54 percent). In 2019, Warner had been elected with 8,060 votes.

Finishing second with 4,901 votes (29.28 percent), David Walkingstick earned nearly 900 more votes than Watts, his principal chief running mate. Walkingstick ran for principal chief in 2019, but he was disqualified over alleged campaign violations.

Meredith Frailey, who ran for deputy chief in 2019 as Walkingstick’s running mate, received 1,147 votes (6.85 percent), while Bill Pearson received 389 votes (2.32 percent).

### Districts 1, 3 and 8 heading to runoff election

With no single candidate in Cherokee Nation Tribal Council Districts 1, 3 or 8 earning more than 50 percent support, those three races will head to a July 8 runoff election.

The District 1 runoff will be between Sasha Blackfox-Qualls and Dale Lee Glory, who received 658 votes (44.46 percent) and 578 votes (39.05 percent) respectively. They finished ahead of candidates Trae Ratliff (10.47 percent) and Brian Jackson (6.01 percent). The current District 1 councilman, Rex Jordan, was ineligible to run again owing to term limits.

The six-candidate Tribal Council District 3 race will also go to a runoff. Lisa Robison Hall received 484 votes (43.33 percent), while the runner-up, Sara Drywater-Barnett, received 322 votes (28.83 percent).

Joseph Tali Byrd, a former chairman of the Quapaw Nation, came in third with 114 votes (10.21 percent). First elected as Quapaw Nation chairman in 2020, Byrd won reelection to that

position in July 2022 and also filed to run for Cherokee Nation Tribal Council just seven months later. However, Byrd resigned as Quapaw Nation chairman in April after he became the focus of a recall effort.

Other Cherokee Nation Tribal Council District 3 candidates receiving votes Saturday were Dyllon Fite (7.43 percent), Brandon Girty (6.71 percent) and Brian Speake (3.49 percent).

In District 8, Codey Poindexter and Jillian Decker finished atop a seven-candidate field and will head to the July 8 runoff. Poindexter earned 314 votes (39.3 percent), while Decker received 164 votes (20.53 percent).

John Teehee (10.89 percent), Jerry Don Hardbarger (7.76 percent), Timothy Fishinghawk (7.63 percent), Troy Littledeer (7.51 percent) and Jon Minor (6.38 percent) also received votes in the District 8 race.

The current councilman for District 8, Shawn Crittenden, was ineligible to run again owing to term limits.

### District 6 incumbent Daryl Legg wins second term

With 854 votes (76.18 percent), incumbent District 6 Tribal Councilor Daryl Legg was overwhelmingly reelected to a second term. Steven Russell and Dustin W. Bush received 211 and 54 votes, respectively.

### District 12 and 13 incumbents win by landslides

Incumbent District 12 Tribal Councilor Dora Patzkowski won reelection with 570 votes (80.97 percent). With 517 votes (79.42 percent), incumbent District 13 Tribal Councilor Joe Deere also won a second term.

District 12 candidate Crystal St. John and District 13 candidate Ed Phillips both received 134 votes.

### District 14 to be represented by Kevin Easley Jr.

With Kevin Easley Jr. won the open District 14 Tribal Council race with 846 votes (74.93 percent). Warren L. Murray and Carrie Ann Vargas received 190 and 93 votes, respectively.

The current councilman for District 14, Keith Austin, was ineligible to run again owing to term limits.

Incumbent Julia Coates wins at-large Tribal Council seat

Receiving 2,621 votes (72.62 percent), incumbent Julia Coates won a second term on the Cherokee Nation Tribal Council.

No other candidate came close. James Smay finished second with 443 votes. Jared Coody and Craig Hood received 350 votes and 195 votes, respectively.

**KATRINA CRUMBACHER**, is completing a 2023 reporting internship with NonDoc. She graduated from Rose State College in May 2023 and will be attending the University of Oklahoma in the fall.



The Oklahoma Eagle

CLASSIFIEDS

**OKLAHOMA  
CLASSIFIED  
AD NETWORK**  
FOR MORE INFO CALL  
**1-888-815-2672**  
**WANT TO BUY**

**OLD GUITARS WANTED!** LARRY BRINGS\$ CASH for vintage USA guitars, tube amps, banjos, mandolins, etc. Fender, Gibson, Martin, Gretsch, others. Call or text 918-288-2222. www.stringswest.com

**USE HAPPY JACK**

**Use Happy Jack® Seal N Heal®** On dogs, cats & horses to close wounds with a bitter taste. Allow healing. Distributed by K&K vet supply (479-361-1516) (www.fleabeacon.com)

**LAND AUCTION JUNE 7**

**LAND AUCTION JUNE 7th:** 105 Acres \* 56 acres of Productive Cropland \* Timber lined creek \* Grass \* Wildlife \* Sh 33/3 Frontage | Kingfisher, Kingfisher Co., OK WigginsAuctioneers.com \* 580.233.3066

**ONLINE AUCTION 6/8**

**ONLINE AUCTION 6/8 @ 6 PM:** '12 Toyota Tundra 4x4 | CMC End Dump Trlr | Flatbed Tender Trlr | McElroy Ground Load Trlr | Gooseneck Livestock Trlr | Wil-rich 10 bottom Plow | '16 Polaris RZR | '07 Yamaha Raptor 700 & MORE! WigginsAuctioneers.com \* 580.233.3066

**ONLINE ONLY FARM RETIREMENT**

**ONLINE ONLY FARM RETIREMENT AUCTION 6/15 @ 6PM:** Full Line of Equip | Tractors | Grain & Planting | Hay & Harvest (Incl. Corn) | Trucks | Sprayer | Tillage | Trailers & More! WigginsAuctioneers.com | 580.233.3066

**OIL & GAS MINERAL**

**OIL & GAS MINERAL AUCTION 6/15 @ 2 PM (ONLINE ONLY):** Garfield & Noble Co., OK Producing & Nonproducing Minerals|INVESTMENTOPPORTUNITY| WigginsAuctioneers.com | 580.233.3066

**ADVERTISE STATEWIDE**

Put your message where it matters most – **IN OKLAHOMA NEWSPAPERS.** We can place your ad in 146 newspapers. For more information or to place an ad, **contact Landon Cobb** at (405) 499-0022 or toll-free in OK at 1-888-815-2672.

NOTICE

IN THE DISTRICT COURT IN AND FOR TULSA COUNTY, STATE OF OKLAHOMA

IN THE MATTER OF THE ESTATE OF: CAROLYN FAYE HEERMAN, Deceased  
CASE NO. PB-2021-963

NOTICE OF HEARING FIRST AND FINAL ACCOUNTING, PETITION FOR DECREE OF DISTRIBUTION, APPROVAL OF ATTORNEY FEES, COSTS AND EXPENSES, AND DISCHARGE OF PERSONAL REPRESENTATIVE

NOTICE is hereby given that KATHY WILLIAMS, the duly appointed and qualified Personal Representative. of the Estate of CAROLYN FAYE HEERMAN., Deceased, has filed her First and Final Accounting, Petition for Decree of Distribution, Approval of Attorney Fees, Costs and Expenses, and Discharge of Personal Representative. A hearing has been fixed by the Judge of the Court for the 12th day of July, 2023, at 10:00 o'clock AM. in Courtroom 701, of the Tulsa County Courthouse, 500 S Denver Ave., Tulsa, Oklahoma, and all persons interested in the Estate of CAROLYN FAYE HEERMAN are notified to appear and show cause, if any, they have, why the First and Final Accounting., Petition for Decree of Distribution, Approval of Attorney Fees, Costs and Expenses, and Discharge of Personal Representative should not be settled and allowed, the Estate distributed, the Attorney Fees, Costs and Expenses approved, and the Personal Representative, discharged.

DATED this 17th day of May 2023.

/S/  
JUDGE OF THE DISTRICT COURT  
KURT G. GLASSCO

James O. Goodwin, OBA #3458  
Attorney for Petitioner  
GOODWIN & GOODWIN  
P.O. Box 3267  
Tulsa, OK 74101-3267  
Telephone: (918) 625-7196  
Fax: (918) 599-0250  
Email: jgoodwin@theoklahomaeagle.net

NOTICE

Published in The Oklahoma Eagle: May 26 and June 2, 2023.

NOTICE TO BIDDERS  
SEALED BIDS FOR  
TULSA METROPOLITAN UTILITY  
AUTHORITY  
PROJECT NO. ES 2017-03 –  
CONTRACT 1

Notice is hereby given that pursuant to an order by the Tulsa Metropolitan Utility Authority, a Public Trust, 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., 30th day of June 2023 for furnishing all tools, materials and labor and performing the work necessary to be done in the construction of the following:

PROJECT NO. ES 2017-03 – CONTRACT 1  
SOUTHSIDE WASTEWATER  
TREATMENT PLANT – SOLIDS FACILITY  
5300 S. ELWOOD AVE.

The entire cost of the improvement shall be paid from Account No. 2 3 3 1 S O 0 0 0 3 . S e w e r T r e a t . Sewer.7500.75003122-541101 2 3 3 1 S O 0 0 0 4 . S e w e r T r e a t . Sewer.7500.75003122-541101 2 3 3 1 S O 0 0 0 5 . S e w e r T r e a t . Sewer.7500.75003122-541101

A MANDATORY Pre-Bid Conference is scheduled for Tuesday June 6, 2023, at 9:00 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 holder of valid pre-qualification 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 for the City of Tulsa, 2317 South Jackson, Room 103, North Building, for a non-refundable fee in the amount of \$50.00 made payable to the Tulsa Metropolitan Utility Authority by check or money order.

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

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 Authority, acting on behalf of the City of Tulsa, 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 Authority 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 Tulsa Metropolitan Utility Authority. See Contract Article IIB.

A Certified or Cashier's Check or Bidder's 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 Authority, 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, 175 E. 2nd Street, in said City at 9:00 a.m. on the 30th day of June 2023. Dated at Tulsa, Oklahoma, this 26th day of May 2023.

(SEAL)  
Rick Hudson, Chairperson  
Tulsa Metropolitan Utility Authority

NOTICE

Published in The Oklahoma Eagle: May 26 and June 2, 2023

NOTICE TO BIDDERS  
SEALED BIDS FOR  
PROJECT NO. TD-2020-B1

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 30th day of June, 2023 for furnishing all tools, materials and labor and performing the work necessary to be done in the construction of the following:

PROJECT NO. TD-2020-B1 ARTERIAL  
BRIDGE REHABILITATION FOR BRIDGE 245 -11TH STREET  
BRIDGE 258 - 21ST STREET

The entire cost of the improvement shall be paid from Account No. 2037B0245Z.Bridges. BridgMR.4282.42823122-541107 2037B0245Z.Bridges. BridgMR.4281.42813122-541107 2037B0258Z.Bridges. BridgMR.4282.42823122-541107

A MANDATORY Pre-Bid Conference is scheduled for Tuesday, June 6, 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 C

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 30th day of June 2023.

Dated at Tulsa, Oklahoma, this 26th day of May 2023.

(SEAL)  
Christina Chappell  
City Clerk

NOTICE

Published in The Oklahoma Eagle: June 2 and 9, 2023.

NOTICE TO BIDDERS  
SEALED BIDS FOR  
PROJECT NO. SP 22-7

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 30th day of June, 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 22-7 TULSA POLICE  
DEPARTMENT HELIPORT

The entire cost of the improvement shall be paid from Account No. 2 1 5 9 F R 0 2 8 3 . C a p i t a l . Bldgs.3001.30013122-541104

A MANDATORY Pre-Bid Conference is scheduled for Tuesday, June 13, 2020 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 B

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 30th day of June 2023.

Dated at Tulsa, Oklahoma, this 2nd day of June 2023.

(SEAL)  
Christina Chappell  
City Clerk

CLASSIFIEDS

**METAL ROOFS  
\$4750\***  
**COMPLETLEY INSTALLED**  
**SIDING/WINDOWS 40%. OFF**  
**Factory warranty • Free Estimates LIMITED TIME**  
**TM CONSTRUCTION**  
**CALL NOW! 800-664-4856**  
 **Sr/Military Discounts \*1500 SQ** 

**LARGE ABSOLUTE AUCTION**  
**QUALITY TIRE & AUTO SERVICE**  
**AFTER 18 YEARS OF SUCCESSFUL BUSINESS**  
**LIFTS\*ALIGNMENT\*A/C\*TIRE MACHINE**  
**WED. JUNE 7<sup>TH</sup> AT 10:00 AM**  
ITEMS LOCATED AT: 10600 E. 86TH ST. N., OWASSO, OKLA.  
**INSPECTION: TUES. JUNE 6TH FROM 8:00 AM TO 5:00 PM**  
**AND STARTING AT 8:00 AM DAY OF AUCTION**  
**AUCTION HELD AT:**  
**DAKIL AUCTIONEERS, INC.**  
**200 NW 114TH ST, OKLA. CITY, OKLA.**  
**CAN'T MAKE IT TO THE AUCTION,**  
**BID LIVE ON-LINE AT WWW.DAKIL.COM**

Multiple 2-Post & 4-Post Lifts, Coats Tire Machines, BG PF7 Brake Flush Machine, Multiple Robinair Machines, Balancers, (3) Porta Cools, Auto Maxisys Elite, Hofman Geoliner 680 Aligner, Evac Pump, (4) Bottle Jacks, (9) 50' Air Hoses, Multiple Air Compressors, Accu-Turn Tire Machine, (2) Ammco Brake Lathes, Wheel Bearing Press, Millermatic 210 Wire Welder, Alignment Lift w/Jacks, Minuteman Plus Battery/Alt. Tester, Engine Hoist, (2) Transmission/Fuel Tank Jacks, Twist Jack Stand, Strut Spring Compressor, Tire Racks & Shelves, Pressure Washer, Engine Stand, (8) Jack Stands, Bench Vise, Auto MaxiDAS Scan System, Genesis OTC Scan System, CT2 Coolant Transfusion System BG, Barter TPMS Tech 400, (4) Floor Jacks, (2) Oil Sump Tanks, Tire Spreader, (4) Shop Fans, Ground Transmission Jack, Might Vac Injection Cleaner Kit, Bulb Wall Mount Kit, Torque Kits, (2) Natural Gas Shop Heaters, Oxy-Acetylene Torch, A/C Unit, 25" Flat Screen TV, (2) Desks, (6) Office Chairs, (2) Laptops, (4) Desktop PC's & Monitors, Camera System, PA system. This is only a partial listing. Buyers premium will apply.

**Dakil** **AUCTIONEERS 405-751-6179**  
**www.dakil.com**

**ABSOLUTE AUCTION**  
**BILLARD CAFE**  
**TUES. JUNE 6TH AT 10:00 AM**  
ITEMS LOCATED AT: 4555 NW 23RD ST,  
OKLA. CITY, OKLA.  
**INSPECTION: MON. JUNE 5TH FROM 8:00 AM TO 5:00 PM**  
**AND STARTING AT 8:00 DAY OF AUCTION**  
**OR DURING NORMAL BUSINESS HOURS**  
**AUCTION HELD AT:**  
**DAKIL AUCTIONEERS, INC.**  
**200 NW 114TH ST, OKLA. CITY, OKLA.**  
**CAN'T MAKE IT TO THE AUCTION,**  
**BID LIVE ON-LINE AT WWW.DAKIL.COM**

Gabriels 2022 Carom 5'x10' Pool Table Heated Made In Belgium Tournament Table, Brunswick 1920's Kling Snooker 6'x12' Golf, Brunswick 1940's Centennial Snooker 5'x10', (2) Brunswick 1960's Gold Crown #1 4 1/2'x9' Pool Table-Restored New Cushions & #1 Pro-pockets, (3) Valley/Shelte Pool Table w/New Penguin Rails & Pro-pockets, Brunswick 1970's Gold Crown #3 4 1/2'x9' Pool Table, Brunswick 1950's Sport King 4 1/2'x9' Pool Table, Sets of Pool Balls & Holders, Snooker Ball Sets w/Holder, Cue Sticks, Cue Stick Holders, Vinyl Chairs Slot Machine Height, Bar Height Chairs, Tables, Sinks, Waring 2-dr Pizza Oven, Refrigeration, S/S Tables, and Much More.  
This is only a partial listing! Buyers premium will apply.

**Dakil** **AUCTIONEERS 405-751-6179**  
**www.dakil.com**



# CHURCH DIRECTORY





**TEACHING  
BLACK HISTORY**  
Best-selling Author Lavaille  
Lavette Uses Children's  
Books To Teach Black  
History . **A15**

**STUDENT LOAN  
REPAYMENT**  
It's only a matter of time before  
student loan payments restart  
thanks to recent moves in the  
federal government. **A16**



# THE GUN VIOLENCE EPIDEMIC

## Is 'Locking Us Back in Our Room'

As the leading cause of death or teens, firearm injuries are detrimental to more than just physical health. It takes a major toll on young people's mental health.

By **AZIAH SHID**, WORD IN BLACK

NEW ORLEANS — Erin Brown recalls all too well the dreadful call he received from his mother in 2021, while in the thralls of the covid-19 pandemic: His cousin — his “brother” — had been shot six times.

Although it was not the first time gun violence had reached the then-17-year-old Brown's social circle, that incident was different. It involved family. So it hit Brown harder, even though his cousin, then 21, survived the gunshot wounds.

Now, while Brown works toward high school graduation and a career in graphic design, he said, he stays indoors in his neighborhood, the Lower 9th Ward. The frequent accidental shootings there frighten him the most. The gunfire outside his windows makes it hard to sleep.

“We were all just quarantined, now we can't even go outside,” said Thomas Turner, 17, Brown's classmate at the campus of the NET: Gentilly charter school, in New Orleans' Gentilly neighborhood. “Just because you want to shoot and stuff, I feel like that is just locking us back in our room.”

It's an all-too-common feeling in pockets of this city — which had one of the nation's highest rates of homicides among large cities in 2022 — and other communities across the country where shots ring out regularly. As gun violence soars nationwide, children's health experts are advocating for such traumatic exposure to be considered what's known as an “adverse childhood experience.”

For decades, the definition for these adverse childhood events has excluded exposure to community gun violence. That means young people exposed to shootings outside the home have been without access to the broad range of intervention efforts and support at various stages of life given to youth facing other forms of traumatic events, such as child abuse or household dysfunction, said Nina Agrawal, a pediatrician who has researched how such experiences have been handled.

“We need to start recognizing that our children are experiencing trauma and it may not show up overtly, but we have to start recognizing it and listening,” said Agrawal, who chairs the Gun Safety Committee for the New York state chapter of the American Academy of Pediatrics.

Agrawal's young patients who have witnessed the effects of gun violence are developing chest pain, headaches, and other health concerns, a commonality among youth experiencing a lack of sleep due to gun violence paranoia, she said. The more time a child spends on high alert, the more disruptions to the immune system and brain function occur, as well as effects on mental and behavioral health, said Agrawal.

For Turner, it was the day of his grandmother's funeral in 2021 that brought gun violence too close to home. As young children and older relatives gathered to honor her life in the Holly Grove neighborhood, shots were fired outside the church.

Turner recalled how his first instinct was to find his younger sister and mother, who were also attending the funeral. Although he is relieved that the suspect in the shooting was arrested — something locals complain is rare — Turner said he now feels as if he's susceptible to such capricious violence while living in New Orleans.

Gun injuries, including suicides, are the leading cause of death for children and teens nationwide. But the Centers for Disease Control and Prevention does not differentiate which injuries come from stray bullets, and electronic health records don't typically record how patients feel about their safety. So Agrawal regularly asks her patients if they feel safe at home, school, and other places.

Brown and Turner are aware of the ever-present risk, so they channel their energy into the classroom, where they recently competed, with a small group of fellow NET students, in the national Aspen Challenge, aiming to pinpoint societal solutions to curb the epidemic of gun violence and reduce the damage it causes to mental health. The group, Heal NOLA, recommended coping mechanisms such as creating artwork and encouraging anonymous story-sharing of the mental trauma through social media. They also said the normalization of gun violence needs to end.

**GUN VIOLENCE** *cont.* **A15**



## 2022 Homicide Statistics for 24 U.S. Cities

**THE CENTER FOR PUBLIC  
SAFETY INITIATIVES** is a  
unique collaboration between  
RIT's Department of Criminal  
Justice, the City of Rochester, and  
the criminal justice agencies of  
Greater Rochester including the  
Rochester Police Department and  
Monroe County Crime Lab.



“Everybody seems to know that everyone’s traumatized, but then, what are we doing to get out of that?”

- **ERIN BARNARD**,  
Adviser, Heal NOLA faculty.

GUN VIOLENCE from A14

Before debuting their proposals in competition, Turner and classmate Chainy Smith spoke at a city-sponsored public safety summit in early April about how the internet and social media further the culture of gun ownership as self-defense. They advocated for a cultural shift in which flaunting one’s gun doesn’t earn respect and popularity. For them, mental health resources are available inside the halls of the NET, the students said, and the intimate classroom where they work on the Aspen Challenge feels like a safe space for emotional processing. But Turner, Brown, and their other classmates know that isn’t always the reality elsewhere — outside of school, they said, they’ve been told by family and other adults that they are too young to understand depression. Terra Jerome, a student participating in the Aspen project, said that when she has spoken out about mental health she feels as if no one understands where she is coming from. “Like,

you’re not getting what I’m saying,” she said. And the veneer of safety disappears when they leave school each day. During spring break, two students from the school died in separate shootings. “New Orleans is very traumatized,” said Erin Barnard, the Heal NOLA faculty adviser. “Everybody seems to know that everyone’s traumatized, but then, what are we doing to get out of that?” Brown and Turner each worry about what lies beyond for them — and for their mothers — when they leave home. Both are close to their moms. They can talk openly about mental health with them, something they realize isn’t the case for every kid. This element of being heard is a crucial intervention, Agrawal said. She said medical research needs to further understand the effects of youth isolation, adding that she has seen how it leads to increased rates of mental health problems, from intergenerational



FOUNDED IN 2017 to address low graduation rates from high school, the NET: Gentilly charter school in New Orleans works to provide educational opportunities for teens who are parents, are beyond the typical school age, have been expelled, struggle academically or behaviorally in traditional school settings, or have experiences in the court system or living unsheltered. PHOTO OWEN RACER FOR KFF HEALTH NEWS

trauma to suicidal ideation. The younger children are when exposed to gun violence, she said, the higher their susceptibility to post-traumatic stress disorder. She is advocating for intervention for children under age 5 and before they’re exposed to gun violence. Rather than feel the all-too-common urge of retaliation, Turner and Brown reflect on the incidents from a mental health perspective, wondering what was going on in the heads of the individuals who carried out the shootings. “It all leads back to mental health, because why is that person carrying a gun in the first place?” Turner said. Turner said he sees things he shouldn’t have by age 17. But he said his fear may not always be visible to others when he is on the basketball court, in the gym, or at the Uptown pizza spot that employs him. He’s just trying to live his life, he said. He hopes to become a firefighter and, someday, have kids. He said he doesn’t want them to endure such mental trauma.

For now, Turner feels it is his role to get the word out that young people are hurting mentally. “If somebody need a hug, just a hug, I don’t have to know you, I’ll give you a hug,” said Turner. “You want to talk to me and tell me anything? I’m going to sit here and listen, because I’d want someone to do that for me.” KFF Health News is a national newsroom that produces in-depth journalism about health issues and is one of the core operating programs at KFF—an independent source of health policy research, polling, and journalism. Learn more about KFF.

# We Must Not Forget We Must Remember

HISTORY from A1

to name a few. But her real passion is making sure Black children know their history. Lavette’s “Jayyen, future engineer” series exposes children zero-to-six to the STEM fields and more. But Lavette has numerous other children’s books already published, like the one celebrating the late Harry Belafonte; and even more in the works for the near future. The Defender spoke with Lavette about her drive to tell stories about Black people from the US and across the diaspora to our children.

**DEFENDER:** When so many books by Black authors about our history, etc. are being banned, from my perspective, your Jayylen series is coming out at the perfect time.

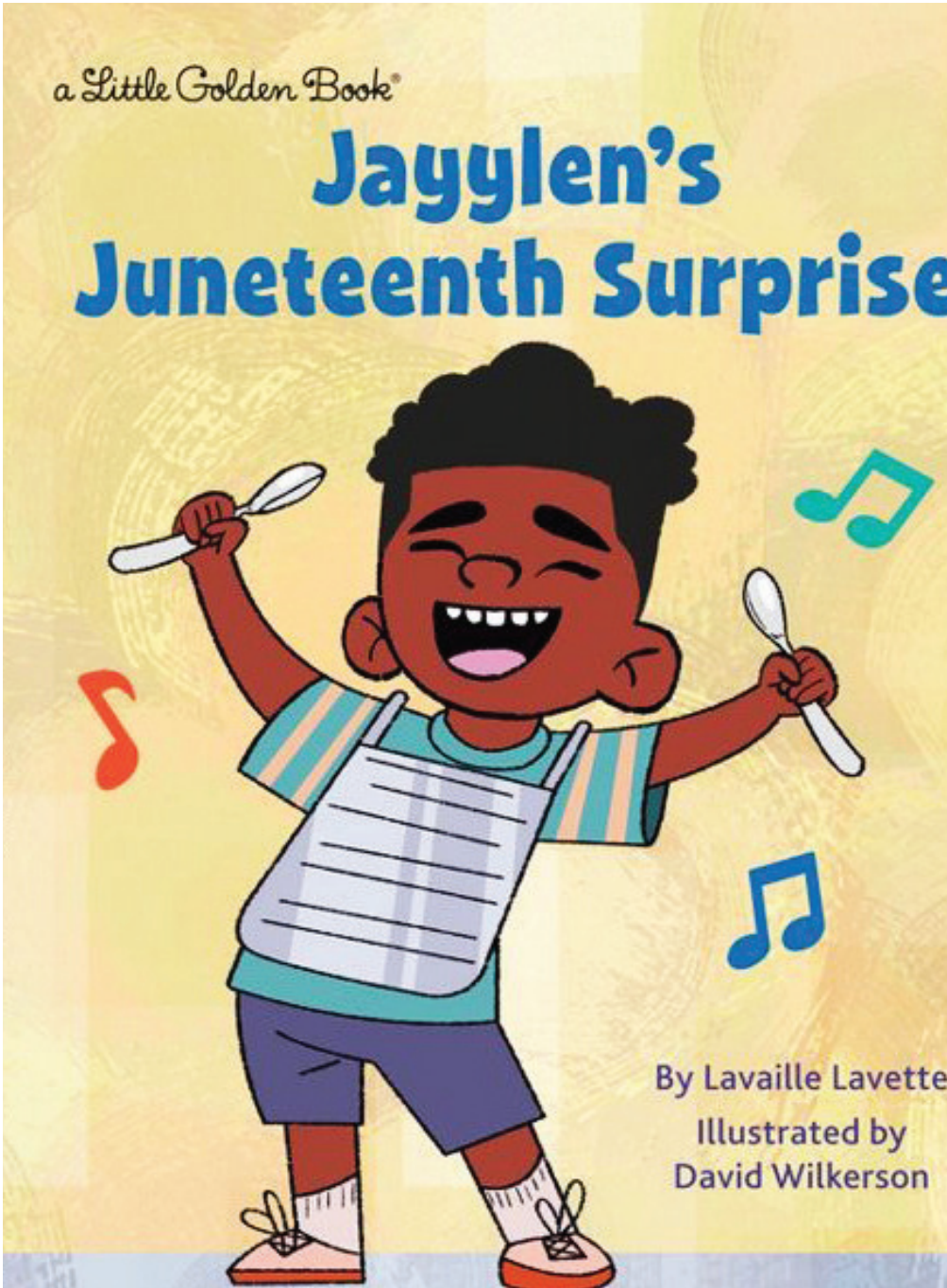
**LAVETTE:** Yeah, I’m looking at it that way. In launching this series with Penguin Random House and the imprint, Little Golden Book, my goal here is to produce fiction and non-fiction books that are African American or African-centric. Books to tell our stories. I publish with various publishers. So, my intention in moving forward, wherever I’m publishing or wherever I’m writing, will be biographies, which will be in the non-fiction setting. There are hundreds of biographies for young kids that I’m going to publish. I’m not gonna write’em all. I’m gonna publish; very intentional about that. And then in fiction, this is the first of a couple of fiction ideas I have that are African American-centric, with a character.

**DEFENDER:** Is there a consistent theme throughout these books?

**LAVETTE:** All of those are going to disseminate information, particularly with our biographies. And my theme is “We must not forget. We must remember.” From our culture (African American and African), we have a number of heroes. We know those we can speak their names. We are told about them from age zero to the ends of time; the Martin Luther Kings, the Malcolm X’s, the Rosa Parks. But there are so many others we are not exposed to that I’m just sort of getting exposed to at this stage in my life. So, I don’t want that to be the case for our young kids. I’m trying to open up the diaspora. I’m publishing books about African American heroes from science technology, from entertainment, people who we don’t know about that we should know about.

**DEFENDER:** Will the books focus solely on individual personalities?

**LAVETTE:** I’m gonna be publishing books about people, places and things that we should know about, and all of that is framed in our culture. I’m framing these books within our culture. So, people from our culture that we should know about, things that disseminate from us that we should know about and places that we created or that we had an impact on, things that we created, we had an impact on, and the people that did it. Those are what my focus in the non-fiction area is. And I’m also reaching across to the continent. There are so many heroes from Angola, Liberia, and Mozambique. I can go on and on and just name all of the countries on the continent. So, I’m starting to tell those stories, as well.



JAYYLEN'S JUNETEENTH SURPRISE (HARDCOVER) to Cover. PHOTO AMAZON.COM

The Oklahoma Eagle

Arts  
Culture  
History  
Education  
Business



No Matter The Ruling

# STUDENT LOAN REPAYMENT IS COMING

By BRIA OVERS, WORD IN BLACK

STUDENT LOAN REPAYMENT from BI

Student loan borrowers have some clarity on the future of their debts. But it doesn’t look good for those hoping to receive relief.

Black college grads find themselves bearing the heaviest weight of student loan debt, and they’re more likely to default on their loans.

In 2019, the Institute of Assets and Social Policy found that 20 years after starting college, Black borrowers still owed 95% of their original loan amount.

Now, three years after the start of the payment pause, an end date was solidified with the passing of the debt ceiling bill.

However, whether millions of borrowers will receive forgiveness as part of the Biden administration’s relief program hangs in the balance.

**Student Loan Repayment Is Coming No Matter What**

After weeks of negotiations between President Biden and Republican House Speaker Kevin McCarthy, Congress reached a deal on June 1 on the debt ceiling. The agreement reinforced the restart timeline for student loan repayments — August 29, 2023.

Meanwhile, on June 2, the House of Representatives and Senate passed a Republican-sponsored bill to block President Biden’s relief program and end the payment pause.

The Biden administration announced in Nov. 2022 a plan to restart payments 60 days after implementation, if the Supreme Court ruled in their favor on the expansive student loan forgiveness plan. Or, 60 days after June 30 if



PHOTO: PHOTO BY TREV ADAMS / PEXELS

the Supreme Court strikes it down.

In a statement, the administration said it strongly opposed the resolution and that it was an “unprecedented attempt to undercut our historic economic recovery and would deprive more than 40 million hard-working Americans of much-needed student debt relief.”

Biden said he would veto the bill.

**The Looming Supreme Court Decision**

The Supreme Court should announce a decision on the Biden administration’s relief program in early July at the latest. The proposed program would cancel up to \$20,000 in federal student loans for qualifying applicants — providing millions with relief.

Over 26 million borrowers applied for debt forgiveness and the administration approved 16 million. But, approvals and processing for these

applications halted last year amidst lawsuits.

At a Senate Committee meeting in May, Secretary of Education Miguel Cardona confirmed no further extensions on the pause, and payments would resume 60 days after the Supreme Court ruling.

Cardona said the department wants to ensure a “smooth re-entry to repayment” and noted the administration’s belief that the Supreme Court will rule in their favor.

Payments on outstanding student loans will restart for nearly 44 million Americans.

Even with millions waiting for answers on whether they will receive forgiveness, some already had their loans forgiven. Including borrowers who qualified for Public Service Loan Forgiveness, were defrauded by a for-profit school, or have disabilities.

Our mission,  
“ To amplify our core value of  
Equity...”

Fairness  
Justice  
Honesty  
Integrity  
Righteousness  
Decency  
Objectivity  
Impartiality  
Honor  
Fair-mindedness  
Truth

