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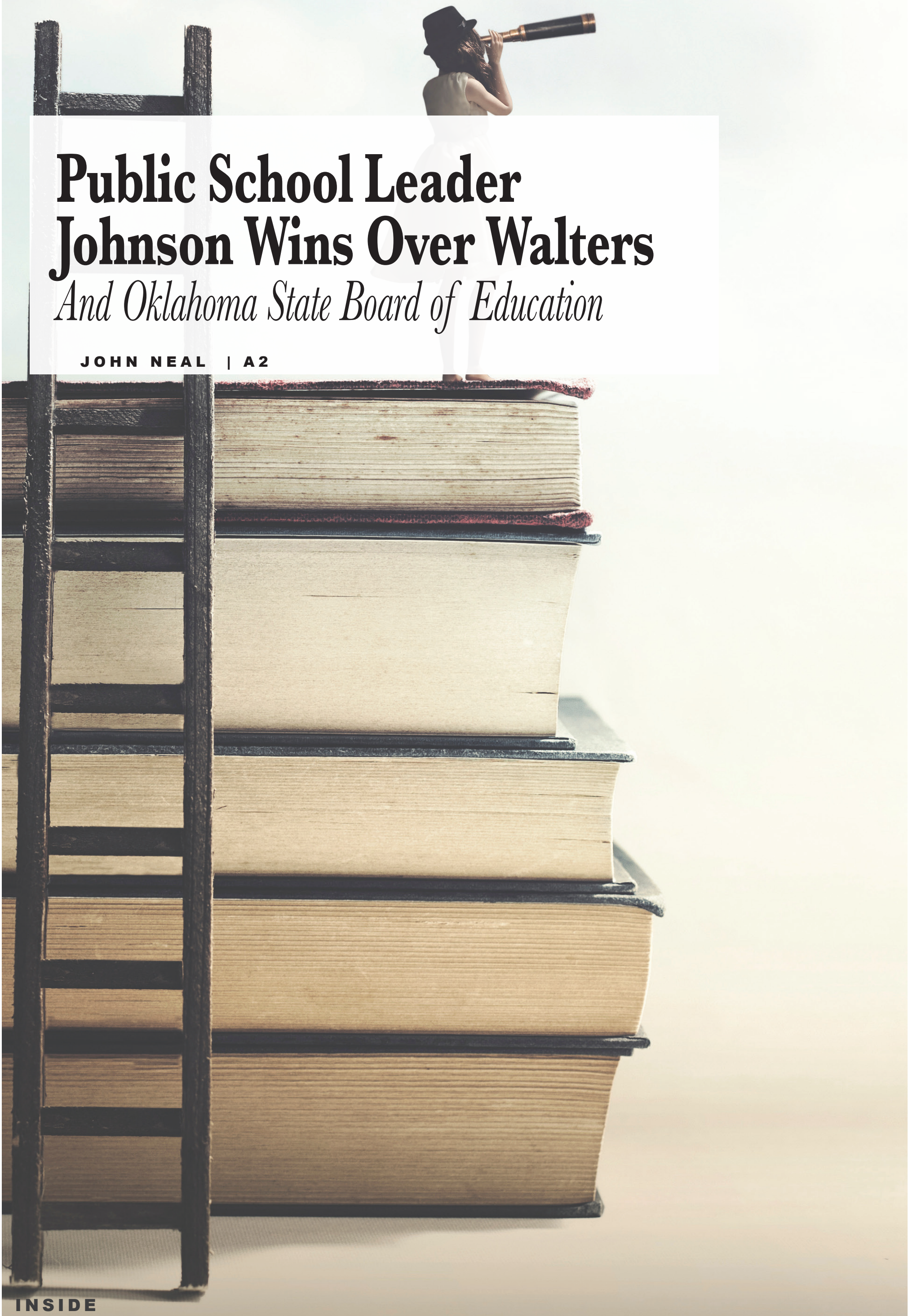
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DR. EBONY JOHNSON, Superintendent, Tulsa Public Schools. PHOTO FACEBOOK

News Analysis: Public School Leader *Johnson Wins Over Walters* and State Education Board

Johnson Wins Over Walters

John Neal
The Oklahoma Eagle

Oklahoma State Superintendent of Public Instruction Ryan Walter's campaign against Tulsa Public Schools (TPS) started early and kept building steam in the last half of 2023. Walters led efforts to downgrade TPS's accreditation, cause the resignation of the district superintendent, and impose harsh "board orders" on TPS. He continuously threatened a state takeover of the TPS governing board. *Cont. A3*



Canvassers

Nonpartisan Canvassing: Open the Door For Tulsans To Share Their Stories

Kimberly Marsh
The Oklahoma Eagle

It is a Saturday afternoon in the middle of election season in Tulsa, and a group of locals want to use the time to encourage voter turnout. Rather than taking a walk in the park or brunching at a local restaurant, about 20 Tulsans gather at the offices of the Terence Crutcher Foundation in the Greenwood District to prepare to knock on doors in The Heights neighborhood, just north of downtown Tulsa.

Voter participation among Tulsans is historically low. School board elections garner two to four percent of potential voters. Turnout for city council, mayor, and other positions is not much higher.

The canvassers walking the streets of The Heights neighborhood are not advocating for any particular candidate. They just want to hear the stories of residents in the neighborhood. The Oklahoma Eagle tagged along to gain insights into how the push for voter turnout works.

Not too many Heights residents open their doors on this day. But when residents engage, two friendly young men wearing Crutcher Foundation shirts greet them with smiles. The canvassers offered some background on the Crutcher Foundation, encouraged the residents to vote, and informed

“

We decided after what happened to Terence, we're going to fight like hell to make sure that it doesn't happen to our kids, or our children's children, no matter where you live.

Dr. Tiffany Crutcher, Executive Director, Crutcher Foundation

them on how to register and where to vote.

There is no discussion of the issues or the candidates, just a brief introduction, reminders, and questions about sharing all residential matters. The canvassers leave a pamphlet with the information and proceed to the next house.

Turning Tragedy Into Action

Founded after the deadly police shooting that killed Terence Crutcher, 40, on Sept. 16, 2016, the Crutcher Foundation was created to effect change. As the canvassers assemble to learn more about the jobs they will fill for two hours that morning, Executive Director Dr. Tiffany Crutcher reminds every one of the overall mission and why they have volunteered.

“We decided after what happened to Terence, we're going to fight like hell to make sure that it doesn't happen to our kids, or our children's children, no matter where you live,” she said. “And so that means making sure that the right mental health supports are in place. It means making sure that the educational resources are in place. It means making sure that we have food in our community. We need more than just Oasis (Fresh Market).”

“We want to make sure that we feel safe in just and liberated communities free from violence and harm, and that means we have to care about

pathways to economic opportunity, and if we can get that right, then safety will follow.

“You know, we oftentimes tout that we're one Tulsa. But we live in a tale of two cities. We truly want to make that one Tulsa mantra a reality and that's what we're doing at the Terence Crutcher Foundation.”

Beyond The Silos

These steps cannot be accomplished in silos. The Crutcher Foundation also collaborates with Allied Communities of Tulsa Inspiring Our Neighborhoods, aka ACTION Tulsa, which identifies as a broad-based, non-profit organization of various faith-based and civic institutions working together for the common good of our members and our community.

These two organizations are engaged in this process historically known as canvassing, and it is about the community's voice, not the candidate. The opinions and statements gleaned from this process will be used to inform or question candidates on what constituents truly want. Their goal is not to influence opinions, but to remind voters to make their voices heard. The Crutcher Foundation does this in non-election years as well. Since 2021, they have knocked on over 10,000 doors trying to reach neighbors on a Saturday to hear their concerns and

Cont. A12

Johnson Wins Over Walters

Achievements reversed the State Board's negative perception of the Tulsa Public Schools district

From A2

But in early 2024, Walters and the Oklahoma State Board of Education (OSBE) began to take a dramatically different public approach to TPS. They praised new Tulsa Superintendent Ebony Johnson's “laser-like focus” to improve student academic achievement. Johnson developed a comprehensive plan to address the district's educational objectives established by the state board, and Walters started providing significant state resources to support these efforts.

By the spring of 2024, the Tulsa Public School district was able to document the achievement of goals in all the objectives in Johnson's monthly reports to the State Board. These achievements reversed the State Board's negative perception of the Tulsa Public Schools district, which began a discussion among the board about a roll-out of a similar effort for other struggling school districts in the state.

Johnson accomplished this stunning turnaround in just eight months, following her appointment as superintendent in September 2023. In public presentations, she cites her background in north Tulsa schools as a vital influence on her brand of leadership. She graduated from public schools on the northside and became a lifelong educator in the school district, including stints as a principal at McLain High School of Science and Technology and Central High School. Having served as TPS's Chief Academic Officer since 2020, Johnson was well-prepared for the challenges facing her as superintendent of Tulsa Public Schools.

The Oklahoma Eagle reached out to Superintendent Johnson for comment on this feat.

“In November, Tulsa Public Schools heard from the state board of education about the metrics they intended to use to measure the success of our district,” she said in a statement. “Together, Team Tulsa has moved

mountains to accomplish those objectives. I am proud of the work we've done already to move 16 schools to an improved status; to train countless teachers and administrators in the science of reading; and become even more transparent with our community about our policies and finances.”

She continued: “But there is more work to do. Student outcomes are our North Star. Tulsa Public Schools, with the support of our community, has worked over the past eight months to make sure nothing stands in the way of what we need to do for our young people. My vision for the future is to ensure that every person and every resource in TPS is focused squarely on that goal.”

Yet, the path forward for Johnson and TPS is steep. The rehabilitation of Tulsa's reputation is still reversible. Oklahoma has experienced the most significant student learning loss among all states, and Tulsa schools are trailing behind the state average. The spring's student academic scores, which are crucial for

assessing TPS performance, are still pending. This underscores the gravity of the situation and the need for ongoing efforts to improve.

Furthermore, the OSBE has introduced a series of new regulations that significantly raise academic achievement standards. These standards are now linked to state accreditation and apply to the entire state school system. Many of these rules, which Superintendent Walters has referred to as ‘Oklahoma values’, have a direct impact on programs that benefit minorities, such as Diversity, Equity and Inclusion (DEI) initiatives. They also support controversial state law HB 1775, which restricts ‘implicit bias’ training for teachers and limits the teaching of America's true racial history in various ways.

This news analysis by The Oklahoma Eagle aims to chronicle TPS's recent successes, outline obstacles Tulsa students and schools face, and provide our readers with the information that will prepare them – and

Cont. A6

Zelia Page Breaux: Musician and Educator

By HANNAH D. ATKINS, THE ENCYCLOPEDIA OF OKLAHOMA HISTORY AND CULTURE



Zelia Breaux, a renowned musician and educator, was born to Inman Edward and Zelia Ball Page in 1880 at Jefferson City, Missouri. Her father was principal of the Lincoln Institute in Jefferson City from 1888 to 1898. Zelia Page attained a bachelor's degree in music from Lincoln. On May 1, 1898, Inman Page became president of the Colored Agricultural and Normal University (now Langston University) in Langston and moved his family to Oklahoma Territory. He hired his daughter, Zelia, as a teacher of piano and instrumental music. She established and developed the music department. On December 6, 1905, she married Armogen Breaux. The couple had one son, Enimen, who became a vice president at Langston University.

The Oklahoma public schools were segregated in 1918 when she left Langston and accepted the position of supervisor of music for the African American schools in Oklahoma City. As head of the music department at Douglass High School, she

placed a music teacher in each African American grade school in the system. In addition, she organized the Oklahoma City Community Band, which was composed of many of her former Douglass students.

The Douglass High School band, which she organized in 1923 with twenty-six participants, became one of the most outstanding in the United States. Appearing all over the nation, the band influenced both local and national musicians such as Duke Ellington, Noble Sissle, Eubie Blake, Sherman Sneed, Edward and Charlie Christian, and Jimmy Rushing. In 1933 Breaux took the Douglass band to the Chicago World's Fair musical festivities, and they performed for a national radio broadcast while there. In 1915 she had bought a controlling interest in the Aldridge Theater on Northeast Second Street, and it became the main location for performances of high school operettas as well as prestigious traveling shows.

During her tenure at Douglass High School Breaux organized a twenty-four-voice chorus, an eighteen-piece symphony orchestra, and several boys' and girls' glee clubs. In 1932 she organized May Day celebrations, during which the Douglass band would play as the children wrapped the Maypole. In 1936 she took the Douglass band, which had grown immensely since 1923, to the Texas Centennial celebration in Dallas. In 1937 she started the Black State Band Festival, which began with seven participating bands and grew to eighteen.

In 1939 Breaux received a master's degree in music education from Northwestern University in Evanston, Illinois. She retired from Douglass High School in 1948. Zelia Breaux died in Guthrie on October 31, 1956, at the age of seventy-six. She was inducted into the Oklahoma Women's Hall of Fame in 1983 and the Oklahoma Bandmasters Association Hall of Fame on July 25, 1991.

ZELIA BREAU (18429, Elwyn Welch Collection, OHS).

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Featured Last Week



BRANJAE, A Tulsa Singer Rises To Higher Ground



Muskogee Nation Supreme Court To Decide Fate Of Creek Freedmen



Zoned Out: How OK Zoning Laws Contribute to the Housing Crisis

The Oklahoma Eagle

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NOTICE

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

Publication dates: 5-10-24 and 5-17-24

IN THE MATTER OF THE ESTATE OF DAVID E. OFFORD, JR., Deceased

Case No. PB-2020-563 Judge Kurt G. Glassco

ALIAS NOTICE TO CREDITORS

TO THE CREDITORS OF: DAVID E. OFFORD, JR., DECEASED

All creditors having claims against DAVID E. OFFORD, JR., Deceased, are required to present the same with a description of all security interests and other collateral, if any, held by each creditor with respect to such claim, to the named Personal Representative at:

Valerie J. Evans, Attorney at Law Post Office Box 692056, Tulsa, OK 74169

on or before the following presentment date: July 1, 2024, or the same will be nonsuited, void and forever barred.

DATED this 7th day of May 2024.

S/S Valerie J. Evans, OBA No. 15606 Attorney for the Personal Representative of the Estate of David E. Offord, Jr.

P.O. Box 692056 Tulsa, OK 74169 valerie@lawofficesvevans.net (918) 960-0118 (office) (866) 495-7228 (facsimile)

NOTICE

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

IN THE MATTER OF THE ESTATE OF: DAVID E. OFFORD, Deceased Case No. PB-2020-563 Date of Publication: 5-17-24 through 5-24-24

ORDER AND NOTICE FOR HEARING ON PETITION FOR FINAL SETTLEMENT, FINAL DETERMINATION OF HEIRS, DISTRIBUTION OF ESTATE, AND DISCHARGE OF PERSONAL REPRESENTATIVE

NOTICE is hereby given that VALERIE J. EVANS, the duly appointed and qualified Personal Representative of the Estate of DAVID E. OFFORD, JR., Deceased, has filed his Petition for Final Settlement, Final Determination of Heirs, Distribution of the Estate and Discharge of the Personal Representative. A hearing has been fixed by the Judge of the Court for the 1st day of July 2024, at 11:00 a.m., in District Courtroom 701 of the Tulsa County Courthouse, 500 S. Denver Avenue, City of Tulsa, Tulsa County, Oklahoma, and all persons interested in the Estate are notified to appear and show cause, if any they have, why the Accounting should not be settled and allowed, the Estate distributed, the Attorneys' Fees, Costs, and Expenses approved, and the Personal Representative Discharged.

DATED this 7th day of May 2024.

THE HONORABLE JUDGE /s/ KURT G. GLASSCO

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

NOTICE

IN THE DISTRICT COURT OF TULSA COUNTY STATE OF OKLAHOMA

IN THE MATTER OF THE ESTATE OF MARILYN L. HAYES, Deceased Case No. PB-2023-848

ORDER AND NOTICE FOR HEARING PETITION FOR FINAL ACCOUNT AND ORDER DETERMINING HEIRS, DEVEISEES AND LEGATEES, AND FOR DISTRIBUTION OF ESTATE

NOW on this 6th day of May, 2024, Timothy J. Hayes, Jr., Personal Representative of the Estate of Marilyn L. Hayes, having filed in this Court a Final Account and Report and Petition for Order Determining Heirs, Devises and Legatees, and for Distribution of Estate. The heirs, legatees, devisees, and all parties interested in said estate are given notice and are hereby directed to appear in the Court Room of the District Court of Tulsa County, State of Oklahoma, 7th Floor, County Courthouse, Tulsa, Oklahoma, on the 26th day of June, 2024, at 10:00 o'clock a.m., to show cause why said account should not be approved and final order made determining heirship and decreeing distribution.

IT IS FURTHER ORDERED that notice of the proceeding to be given by publication hereof as required by law for two successive weeks in The Oklahoma Eagle of Tulsa, Oklahoma, and that notice by mailing be given according to law to all persons interested in said estate to then and there appear and show cause, if any they have, why the Petition should not be granted.

Date this 6th day of May, 2024.

Kurt Glassco Judge of the District Court

W. Kirk Clausing, OBA #1725 2021 S. Lewis Ave., Ste 240 Tulsa, OK 74104 clausing@swbell.net 918-745-0417 clausing@swbell.net Attorney for Successor Executor

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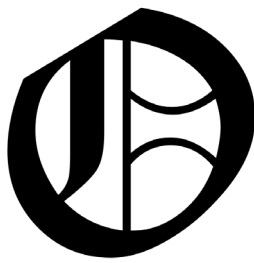
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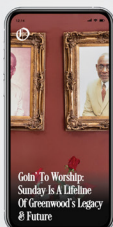
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Johnson Wins Over Walters

Walters initiated attacks on TPS months before becoming State Superintendent of Public Instruction



TULSA PUBLIC SCHOOL BOARD BUILDING. PHOTO PROVIDED

From A3

particularly students and families - for the educational journey that lies ahead.

A Rocky Road

Walters initiated attacks on TPS months before becoming State Superintendent of Public Instruction. He spoke before the OSBE that he later would lead, “demanding” that the state education board downgrade TPS accreditation standing. The case before the board stemmed from a white Memorial High School teacher’s complaint that she had felt discomfort from routine implicit bias training. (See <https://theokeagle.com/2022/07/23/white-memorial-high-school-teacher-gripped-that-training-shame-white-people-for-past-offenses-in-history-2/>) That state board yielded to Walters’ pressure supported by newly minted state law HB 1775 that is under challenge in U.S. federal court in Oklahoma as unconstitutional.

Months later, after assuming the role of state superintendent, Walters launched a ferocious attack on TPS academic performance and its “failing schools.” He justified his singling out of the Tulsa school district among Oklahoma’s many poorly performing school districts by saying the district was “uniquely bad.” He added alleged financial mismanagement to his grievances. While the local school board and citizens rallied to the district’s defense, Walters threatened to revoke TPS accreditation. (See <https://theokeagle.com/2023/08/08/state-superintendent-walters-continues-attack-on-tulsa-public-schools/>) In the fall of 2023, TPS Superintendent Deborah Gist was forced to resign under heavy pressure from Walters and other state actors.

From the beginning of her appointment as interim TPS

Superintendent in September, Johnson faced renewed obstacles. In its August 2023 meeting, the OSBE had instructed the TPS district to improve student reading proficiency, upgrade the performance of “failing” schools, and strengthen accounting processes that had led to an embezzlement of school funds in 2022.

In Johnson’s appearance before the state board, the new district superintendent was praised for her “attitude.” Still, State Superintendent Walters criticized Johnson because her plan for district improvement lacked “numbers, data goals, and metrics we can look at.” Walters would later warn Johnson, “Don’t test me.”

At the next State Board meeting in November, the board, without notification to the district, imposed a new set of “board orders” that stiffened and made more specific the required improvements on TPS in the areas of state reading test results, “science of reading” training for teachers, improving select schools’ performance, and implementing financial reforms. Additionally, the education department staff criticized TPS’s performance in several areas. In response, Johnson pointed to TPS’s progress on the 2023 state report card and said the new requirements were unnecessary.

The Turnaround

Superintendent Johnson has begun to reshape the school district with a series of transformative initiatives. They included implementing significant personnel changes in schools and the district administration. In her report to the State Board, Johnson emphasized that these changes were crucial to repositioning the “district school culture and performance.”

In the December State Board meeting, Johnson unveiled a

comprehensive plan. The TPS plan encompassed “action steps, new initiatives, metrics, and research-based monitoring implementation strategies.” Johnson assured the State Board that TPS was fully committed to the objectives outlined in the new “board orders” and would offer “no excuses” for academic underperformance. State Superintendent of Public Instruction Ryan Walters and the State Board were deeply impressed.

In a video on X, formerly Twitter, Walters praised Johnson’s plan, stating, “Dr. Ebony Johnson has presented an exceptional plan for the future of Tulsa. It’s everything I have been advocating for.” (See <https://theokeagle.com/2024/01/11/tps-shakes-up-leadership-in-some-troubled-schools/>)

In successive monthly presentations before the State Board in 2024, Johnson and senior staff showed the board how TPS was realigning its strategies and measurement tools to achieve the goals the State Board had set. Month after month, Johnson charted the educational progress the school district was making, increasing the number of teachers being trained in the science of reading, moving schools out of the failing schools category, and tightening financial controls.

In her progress reports to the board, Johnson also describes the measures the district was taking to redeploy resources to the worst performing schools, providing high dosage tutoring and learning intervention programs to academically underperforming students, and carefully charting the number of students improving in reading ability to achieve the goals for the 2024 spring testing period. The superintendent also shared strategies that TPS is implementing with the board to tackle more challenging

problems, provide long-range solutions to chronic absenteeism in students, and improve student academic achievement through family outreach programs.

Over the months, Johnson garnered increasing praise from Walters and the State Board members for the school district’s efforts and progress. Board member Don Burdick typified the board assessment when he told Johnson in April, “I compliment you for all your great work [as] something our whole community can be proud of.” State Superintendent Ryan Walter joined the praise, characterizing Johnson’s work as an “incredible job” “drawing national attention” and expressing “incredible confidence that we are going to see significant academic progress this year for Tulsa.”

State Support For TPS

Walters and the OSDE have embarked on a significant initiative, providing unprecedented resources and financial support to bolster the efforts of Tulsa schools. The Oklahoma Eagle, recognizing the importance of this aid, requested a summary of the state’s contribution. Education Department spokesperson Dan Isett provided a comprehensive three-page listing of the special assistance directed toward Tulsa Public Schools. Here are some key excerpts from the OSDE’s listing of state resources being deployed:

- High Dosage Tutoring Support: OSDE funded tutoring at 26 TPS sites, training 85 teachers for 8-12 weeks, and direct tutoring 372 students.
- Literacy Coach Support: Dean Jones, director of Reading Sufficiency, and five team members served as supplemental teacher substitutes at TPS assigned schools, provided teachers with

science of reading training, and aided Tulsa literary coaches.

- School Improvement Support: Program Director Theresa Wilson and six support specialists assisted 29 school sites, developed Continuous Improvement Plans and trained at all elementary schools in Tulsa on Oklahoma Framework and Standards.
- Oklahoma Teacher Empowerment Program: OSDE provided teacher substitutes at 13 sites, backfilling TPS student teaching and enabling specially qualified Tulsa teachers to focus on improving testing programs.
- Supplemental Funding: At the May 24 State Board meeting, Walters announced that the OSDE would provide \$180,000 for the TPS summer school day camp. An additional \$200,000 will be spent by the OSDE for district intervention efforts to prevent students from dropping out of school.

Even as she looks squarely at the challenges ahead, Johnson remains committed to the goal of providing the best possible education for Tulsa pupils.

“I am immensely proud of the nearly 34,000 students in Tulsa Public Schools.

she told The Oklahoma Eagle. “These amazing young people will be our future leaders. I know they are destined for greatness, and I continue to work every day to ensure they are equipped to meet their potential.”

JOHN NEAL is a contributor to The Oklahoma Eagle who writes about education and social justice issues.

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Who Is Indian

How an 1840s murder *defined* how courts determine who is an Indian

Tristan Loveless
NonDoc

The Cherokee Nation announced efforts in February to push for a change in how federal law determines Indian status under the Major Crimes Act that would require Cherokee Freedmen to be recognized as Native Americans by federal courts. While any congressional request over Indian Country is slow going, the policy proposal affords a closer examination of how courts determine who is an Indian.

Currently, federal law uses a test from an 1846 murder case that requires both tribal connections and “Indian blood” for a person to be deemed Native American for the purposes of criminal jurisdiction. Cherokee Nation Principal Chief Chuck Hoskin Jr. is hoping Congress will narrow that test and require only tribal citizenship.

“Your tribal citizenship is, in fact, ignored because there is a two-part test that the courts have used to interpret the Major Crimes Act that says you have to be a citizen or a member of the relevant nation, and you have to have a blood quantum,” Hoskin said in late February.

Marilyn Vann, a Cherokee Freedman and the Cherokee Nation’s environmental protection commissioner, said several Cherokee Freedmen have been charged in state courts under the current interpretation of the Major Crimes Act since the McGirt v. Oklahoma decision.

“I know in the majority of those cases the people, if they really could not afford to take it up higher, they just did some kind of a deal with the state,” Vann said in referencing plea agreements. “Here we are: separate but not equal.”

Congress or courts? Routes for Cherokee Freedmen reform

Also in February, Hoskin signed an executive order to improve outreach to Cherokee Freedmen, the descendants of the tribe’s former slaves.

The order sought to “address any deficiencies” with existing programs, and its provisions included:

- Acknowledgement that “the injuries inflicted not only by our enslavement of their ancestors, but more than a century of our denial of their civil rights and our under investment in communities they call home, have not been fully healed;”
- A task force charged with examining and producing a final report about Cherokee Freedmen participation rates in Cherokee Nation programs and services; and
- Updated annual plans of action within executive agencies “for community and public outreach to historically excluded groups within Cherokee society.”

Hoskin’s executive order stands in contrast to policies of the Muscogee, Chickasaw, Choctaw and Seminole nations regarding Freedmen. Nonetheless, Hoskin indicated that the Cherokee Nation was still considering a variety of strategies — including lobbying Congress and pursuing litigation — to change federal law and grant Cherokee Freedmen recognition in federal court.

“This effort (...) is to get Congress to make a really narrow change in the law or to find the appropriate case to go up through the courts and maybe advocate for a court to say, ‘Blood quantum is not really a test or a prong that is relevant

and we shouldn’t apply it,’” Hoskin said.

He emphasized that conversations are “still in the education phase” with Congress.

“I talked to the leaders of the other Five Tribes before we made the push, and they all expressed support because of the way we frame it,” Hoskin said. “It is, as you asked, an expression of sovereignty. If a tribe determines that this person is a citizen, that’s where it begins and ends in terms of the analysis.”

In a broader context, however, the Cherokee Nation’s push for federal change could stoke congressional tensions about how Oklahoma’s other largest tribes in which some families owned slaves currently decline to offer citizenship to their Freedmen descendants. While Hoskin said the Cherokee Nation’s advocated change to the law would not affect the Freedmen of the other Five Tribes, the Congressional Black Caucus and Freedmen advocacy groups have pressured those tribes to acquiesce in recent years.

A case pending before the Muscogee Nation Supreme Court alleges that the tribe has violated its Treaty of 1866 by prohibiting citizenship to descendants of Muscogee Freedmen. The Choctaw, Chickasaw and Seminole nations have also drawn criticism for not granting citizenship to Freedmen, with the Seminole Nation being federally mandated in 2021 to offer its Freedmen COVID-19 vaccinations and other health services despite denial of citizenship.

Asked about the situation, Muscogee Nation press secretary Jason Salsman indicated the Muscogee Nation had no comment on the Cherokee Nation’s Freedmen efforts. Choctaw Nation public relations manager Randy Sachs had a similar response.



FLAG OF THE CHEROKEE NATION. PHOTO WIKIMEDIA COMMONS

Who Is Indian

In the context of criminal law, Congress has *never defined* the word Indian

From A7

“Routinely, we don’t comment on other tribes’ proposals, resolutions and such,” he said.

Asked about the Cherokee Nation’s proposal, Muscogee Freedmen advocate Eli Grayson emphasized that, under the Major Crimes Act, tribes prosecuted numerous cases involving Freedmen before statehood. He also argued that the U.S. Supreme Court case *Morton v. Mancari* — which found a Bureau of Indian Affairs hiring preference for members of federally recognized tribes was based on a “political, rather than racial” category — is the correct definition of Indian to use in a criminal context.

“In 1885, they were prosecuting Freedmen in the Cherokee Nation, in the Creek Nation and in the Choctaw, Chickasaw and Seminole nations,” Grayson said. “This modern day exclusion is just about how we want to define Indian today and (...) in *Morton v. Mancari* (the court held) an Indian is anybody who is a citizen of their tribe.”

Attorney Brett Chapman, who specializes in Federal Indian law cases, praised the move of the Cherokee Nation.

“It is the right thing to do, and I commend the Cherokee Nation leadership for taking a principled stand for equality,” Chapman said.

How courts determine who is an Indian

The Founding Fathers had something in mind when they wrote the word “Indians” into the U.S. Constitution, but they left any definition out of their final draft. Congress’ legislation has followed this pattern, frequently invoking the term Indian, but not always defining its meaning or application.

Sometimes Congress does define the word Indian, but only for a specific statute’s application. As a result, courts sometimes define “Indian” in the context of who is eligible to benefit from specific programs or in the context of arts and crafts. But overall, American courts lack a uniform definition of Indian.

The Major Crimes Act is the federal law that requires Indian defendants be tried in either tribal or federal court for crimes committed in Indian Country, a legal term of art recently applied to the eastern half of Oklahoma following the U.S.

“

In 1885, they were prosecuting Freedmen in the Cherokee Nation, in the Creek Nation and in the Choctaw, Chickasaw and Seminole nations,” Grayson said. “This modern day exclusion is just about how we want to define Indian today and (...) in *Morton v. Mancari* (the court held) an Indian is anybody who is a citizen of their tribe.

ELI GRAYSON, Muscogee Freedmen Advocate

Supreme Court’s *McGirt* decision. According to the act, “any Indian who commits against the person or property of another Indian or other person any of the following offenses (...) shall be subject to the same law and penalties as all other persons committing any of the above offenses, within the exclusive jurisdiction of the United States.”

In the context of criminal law, Congress has never defined the word Indian, instead leaving that job to federal courts. Facing a slew of criminal laws about Indians without a binding definition, the judiciary has charted the federal government’s course in how courts determine who is an Indian, at least for criminal jurisdiction.

Like anything developed by the judiciary over nearly two centuries, the definition of Indian has shifted over time, with 19th and 20th century courts sometimes reaching wildly different conclusions. Weston Meyring’s 2006 article, *I’m an Indian Outlaw, Half Cherokee and Choctaw*, examines several decisions from those centuries.

By the 21st century, most courts have settled on a two-part inquiry for determining Indian status.

First, courts apply the *United States v. Rogers* test from 1846, which looks for “Indian blood” and connections to a tribal government.

When applying the “Indian blood” part of the *Rogers* test, courts usually look for blood quantum in a federally recognized tribe. In the 19th and 20th centuries, the United States federal government would send Indian agents to create “tribal rolls,” essentially censuses of the citizens of tribal governments.

People listed on the rolls were assigned a blood quantum, or a fraction that represents the amount of “Indian blood” each person was believed to possess by Indian agents. The United States Bureau of Indian Affairs continues to track the blood quantum of the descendants of tribal enrollees to this day, and it issues descendants “certificate of degree of Indian blood” (CDIB) cards. The concept of blood quantum remains controversial.

Second, when looking for tribal connections or recognition, courts typically undertake

the four-factor *St. Cloud* analysis, which examines:

- “Enrollment in a tribe;”
- “Government recognition formally or informally through providing the person assistance reserved only to Indians;”
- Whether someone is “enjoying benefits of tribal affiliation;” and
- “Social recognition as an Indian through living on a reservation and participation in Indian social life.”

While Cherokee Freedmen can clearly meet the *St. Cloud* factors, many fail the first part of the *Rogers* test: Indian blood. When the *Dawes* rolls were created, former Cherokee slaves were listed on the rolls as Freedmen, and agents for the rolls usually made no efforts to record “Indian blood” for Freedmen, even if they had Cherokee ancestors.

In 1896, Justice Henry Billings Brown — citing the *Rogers* case — wrote the opinion for *Alberty v. United States* and found that a Cherokee Freedman made a citizen by the Cherokee Nation’s 1866 treaty with the United States “must be treated as a member of the Cherokee Nation, but not an Indian,” for the purposes of criminal jurisdiction.

“While [Article Nine] of the treaty gave him the rights of a native Cherokee, it did not, standing alone, make him an Indian within the meaning of Rev.Stat. § 2146 or absolve him from responsibility to the criminal laws of the United States, as was held in *United States v. Rodgers* (sic) and *Westmoreland v. United States*,” Brown wrote.

Brown’s mention of “responsibility to the criminal laws of the United States” was odd for its time considering Freedmen were not given U.S. citizenship until the 20th century alongside other members of the Five Tribes. A companion case to *Alberty* held courts should not presume Black people are not Indians, leaving courts with the direction that Freedmen are neither presumed to be Indian nor presumed to be non-Indian.

Today, courts are left following these century-old cases and cannot presume

MAJOR CRIMES ACT, 18 U.S.C. § 1153, was enacted in 1885. It provides federal criminal jurisdiction over certain enumerated crimes if the defendant is Indian. It has exclusive federal jurisdiction over certain enumerated crimes such as murder, assault resulting in serious bodily injury, most sexual offenses, etc. The Major Crimes Act is the source of federal jurisdiction for crimes in which both the offender and the victim are Indians and the crime occurred in Indian Country. Tribes retain jurisdiction to prosecute Indians for the same conduct that constitutes a Section 1153 felony. In Section 1153 cases, the victim may be Indian or non-Indian. Accordingly, an Indian defendant may be prosecuted concurrently in two jurisdictions for the same offense. The Constitutional prohibition against double jeopardy does not apply because the United States and Indian tribes are separate sovereigns.

Cont. A11

Vehicle Scheme

In vehicle scheme, Pittsburg County Sheriff Chris Morris charged with felony embezzlement

Faithanna Olsson
NonDoc

A month before his bid for a third term will be decided by voters, Pittsburg County Sheriff Chris Morris was charged Tuesday with a felony count of embezzlement of state property for allegations that he falsified records as part of a scheme to have the county buy a \$29,000 utility vehicle he had purchased months earlier.

Dissatisfied with the vehicle because it “had already broken down,” Morris convinced a dealership to sell him a different vehicle once the return and county purchase of the first vehicle had been executed, according court records.

Morris, 50, was elected sheriff in 2016. He

denied wrongdoing on his [Facebook campaign page](#) shortly after appearing in Pittsburg County District Court for arraignment.

“Election interference is not only happening in our great nation, but it is happening right here in Pittsburg County, Oklahoma,” Morris posted. “I have done absolutely nothing wrong! This is an orchestrated event to make me look bad just weeks before the election, the truth will come out.”

Morris, a Republican, faces challenger [Randy Hass](#) in the June 18 GOP primary. The winner will be elected sheriff as there is no opponent in the November general election.

A tale of two utility vehicles

Pittsburg County Clerk Hope Trammell tipped off District Attorney Charles Sullivan to Morris’

personal purchase of a 2023 Polaris utility vehicle, which he then resold in December to the Pittsburg County Sheriff’s Office.

Morris falsely presented the vehicle as new to bypass the state bidding requirements, according to an [affidavit](#) filed by Oklahoma State Bureau of Investigation Special Agent Mark Drummond.

Tramell contacted the vehicle’s original seller, [Vicars Powersports](#), to confirm the condition of the vehicle, Drummond wrote. Montana Bills, the dealership’s finance manager, said he would have to check on the condition and later sent an email invoice for a new Can-Am utility vehicle that Morris has bought for himself. According to the affidavit, Tramell contacted Bills again to obtain an invoice for the Polaris, and Bills provided her with an invoice indicating the vehicle was new.

The invoices showed the same price for both the Polaris and the Cam Am vehicles, according to the affidavit.

Tramell said that when she authorized the purchase for the sheriff’s office, she was under the impression the vehicle was new, Drummond’s affidavit said. After she found out it had previously belonged to Morris, she reported her findings to Sullivan, who recused himself owing to a district attorney’s underlying legal relationship with other county offices. The Attorney General’s Office assigned review of the case to Cherokee and Wagoner County District Attorney Jack Thorp who filed the charge Tuesday.

“Sheriff Morris is presumed innocent,” Thorp said.

In his interview with Drummond, Morris blamed the county clerk’s office for having

Cont. A12



THE OKLAHOMA STATE BUREAU OF INVESTIGATION'S HEADQUARTERS BUILDING is located at 6600 North Harvey Avenue in Oklahoma City. PHOTO TRES SAVAGE

OSBI Commission Agenda

Improper OSBI Commission agenda limits executive session, cold case victim frustrated

Michael McNutt
NonDoc

Kira Allen-Lowe's 3 1/2-hour trip to speak with the Oklahoma State Bureau of Investigation Commission about how the agency is handling its probe into her mother's slaying nearly 36 years ago proved to be for naught. She said she emailed the commission two months ago with a request to be heard at Wednesday's meeting only to discover she was not on the agenda and was not allowed an opportunity to speak to the OSBI's governing body.

"I assumed that they would have had my letter, and I would have been given an opportunity to voice my concerns," said Allen-Lowe, of the Dallas area, whose mother, Mary Morgan Pewitt, was murdered in June 1988. "I was stunned."

Commissioners were in for a surprise themselves during the meeting when Thomas Schneider, deputy general counsel to Attorney General Gentner Drummond, advised that two of three items listed on their agenda for executive session discussion were too vague to comply with Oklahoma's Open Meetings Act.

Commissioners did go into executive session to discuss pending OSBI investigations. They returned about 10 minutes later and reported taking no action. Before adjourning the meeting, however, a pair of commissioners grumbled that another of the commissioners had called the Attorney General's Office and requested an assistant to attend the meeting.

"If we have a commission member that has seen a problem or thought there was a problem with the AG's Office, it should have been brought to our attention prior to this meeting so the agenda could have been corrected and reposted instead of people coming to this meeting today and no action being taken and nothing being done," Chairman Vic Regalado

Among other issues faced by the commission are conflict of interest allegations against former OSBI counsel Richard Smothermon and questions about whether Spurlock or OSBI executives knew of a 2022 email Wallace had sent containing a racial slur...

said.

Commissioner Angela Marsee, the district attorney for Beckham, Custer, Ellis, Roger Mills and Washita counties, said she called the AG's office because of this month's unexpected resignation of the agency's new general counsel, Jana Wallace.

"That request was made because we don't have a general counsel," Marsee said. "It had nothing to do with the agenda."

Commissioner Tim Turner, a former sheriff of Haskell County who is running for Oklahoma House District 15, said he was disappointed.

"My only issue is that we drive hours to get here for this meeting, and if we knew there was an issue (...) we could have postponed this meeting and set another date," he said.

It marked the second time this year that at least one OSBI Commission member was irritated by driving to Oklahoma City for a special meeting that did not go as planned. In January, an OSBI Commission meeting that only featured an executive session about employment matters was canceled minutes before it began despite some commissioners driving into OKC during inclement weather.

Typically, the OSBI Commission meets quarterly. Regalado, the sheriff of Tulsa County, said the commission would not schedule a special meeting to take up issues that had been planned for discussion Wednesday. The next commission meeting is scheduled for Aug. 21.

"Hopefully, we can get to it at the next meeting and handle those issues accordingly," Regalado said after the meeting.

Commissioners should have had plenty to talk about. In February, they heard complaints against executive director Aungela Spurlock from a former OSBI special agent and his wife over disciplinary actions that led to his retirement late last year.

The commission responded to former agent Joe Kimmons' complaint by asking

the Attorney General's Office to investigate, and in an April 12 letter Drummond said Spurlock had committed no crime when the agency offered Kimmons a chance to avoid being fired if he received a doctor's note and went on medical leave until his desired retirement date.

Among other issues faced by the commission are conflict of interest allegations against former OSBI counsel Richard Smothermon and questions about whether Spurlock or OSBI executives knew of a 2022 email Wallace had sent containing a racial slur when she was hired late last year. Beyond that, the agency has been sued over an agent's wreck on the Turner Turnpike, and part of the OSBI's headquarter building has been decommissioned owing to a mold outbreak.

'I should have been on the agenda'

Faced with a long drive back to Texas without any answers, Allen-Lowe said she cried as she left the OSBI building Wednesday. She told NonDoc that the email she sent March 23 to the OSBI Commission address listed on OSBI's website instead was received by an assistant to Spurlock.

"The date that I sent it, I received a phone call from Aungela Spurlock that was very brief," Allen-Lowe said. "She said pretty much that, why didn't I come to her with my concerns, and we'd like to get this straightened out, I'll have my assistant set up some time where we can sit down and chat."

Allen-Lowe said she eventually met with Spurlock on April 11, but she was unsatisfied with their conversation and chose to attend Wednesday's meeting to complain to commissioners.

"I should have been on the agenda because I did send it to the OSBI Commission, and I

OSBI Commission Agenda

After 36 years and more than five assigned OSBI agents, no clear answers are available

From A9

was stunned that I didn't get an opportunity to address my concerns," Allen-Lowe said. "So as I was leaving, I spoke with somebody and I said, 'You know, is it just the executive board that gets an opportunity to speak?' and she said, 'Yes ma'am,' and I said, 'Well I wrote a letter, you know, did they not receive it?'"

"Well, she went and spoke with Aungela's assistant, and she came over and spoke to me, and she said, 'Well, no, you didn't send that to the commission.' And I said, 'Yes ma'am, I did, here's the email,' and she said, 'Well, you know, what's on the agenda is what's on the agenda.' And I said, 'So are you telling me that my mom's case and this complaint doesn't matter?' And she said, 'That's not what I'm saying,' and she walked off."

Allen-Lowe said she did not get a chance to talk with Spurlock or Regalado before or after Wednesday's meeting.

"I cried in the elevator going downstairs because it was another slap in the face [that] my case doesn't matter," she said.

'It was like being that abandoned 8-year-old kid all over again'

Allen-Lowe was 7 years old when her mother was killed June 4, 1988 in Comanche, a small town south of Duncan. She and her younger sister had spent the night at their grandmother's house while their mother worked at a bar in Comanche. They returned home the next morning to find their mother had been stabbed to death.

"Me and my sister found my mother, with my grandma," said Allen-Lowe, who maintains a Facebook page about her mother's case. "She was in her home, she was half nude, stabbed over 30 times. Yeah, we saw all of that from the window."

The OSBI took over the investigation about 27 years ago, she said.

"They didn't have it for the first nine years," Allen-Lowe said. "And that's kind of — there are always excuses that if they had it from the beginning (things would be different)."

Since 2014, five different OSBI agents have worked the case. Kimmons, the former special agent who filed complaints alleging that Spurlock targeted him for termination, worked the case for two years. Allen-Lowe said Kimmons kept her up to date and was trying to obtain grand jury transcripts last fall.

But Kimmons retired Dec. 11 after rejecting an unusual proposal that would have allowed him to take four months of medical leave and achieve a retirement date bearing additional state pension benefits. Kimmons had been suspended after using the phrase "my n—a" when answering an October phone call from a coworker and friend. Another OSBI employee overheard him and reported it. Kimmons and his wife filed complaints against Spurlock, alleging that her efforts to terminate him exceeded the discipline prescribed by OSBI policy. When Kimmons chose to retire instead of withdrawing his complaint, the OSBI Commission asked the Attorney General's Office to investigate.

As Kimmons' saga unfolded, Allen-Lowe sent him messages that went unreturned, and she drove to a meeting with District Attorney Jason Hicks. Eventually, on Jan. 8, Hicks told her that Kimmons was no longer with the OSBI.

"I was frustrated that the one person I had come to trust and believe in was no longer at the OSBI," Allen-Lowe wrote in the letter she emailed to the OSBI Commission. "I contacted one of the OSBI victim support services; I thought she could bring me up to speed. Instead, I left a voicemail on [Jan. 8] at 2:58 p.m. and never received a callback. It was like being that abandoned 8-year-old kid all over again, knowing my mother was dead, but who was going to help me get the bad guy(s)?"

Allen-Lowe said she was irritated to learn that no agent had been assigned the case for four months.

"My complaint is that I shouldn't have found out from my district attorney," Allen-Lowe said Wednesday. "For months, I had no clue. I was sending Kimmons messages on his, you know, OSBI cell phone."

Allen-Lowe said that's why she emailed the OSBI Commission to voice her dissatisfaction with how her mother's case had been handled.

"My complaint is how the OSBI chain of command has handled this case or lack thereof. The OSBI as a whole did not communicate with our family about any ongoing transition or even that a transition had occurred," Allen-Lowe wrote in the March 23 letter. "This experience has left me deeply concerned about the victims' families; your lack of genuine care and concern is disheartening. However, I understand that issues can arise, but at this point, I am on my fourth OSBI agent in less than 10 years. The first two agents may have exchanged two emails with me."

On Wednesday, Allen-Lowe described her April 11 meeting with Spurlock and OSBI deputy directors.



FLANKED BY HER TWO CHILDREN, KIRA (LEFT) AND AMBER (RIGHT), MARY MORGAN PEWITT poses for a photo at Six Flags Over Texas in 1987, a year before she was murdered. PHOTO PROVIDED

“

My issues were that pretty much every time you ask a question, there's no answer.

Kira Allen-Lowe, daughter of murder victim, Mary Morgan Pewitt, killed June 4, 1988 in Comanche, a small town south of Duncan Okla.

"My issues were that pretty much every time you ask a question, there's no answer," Allen-Lowe said. "It's just followed up with da-da-da-da, there's no true answer. I know there was evidence lost in my mother's case, I know that 100 percent."

"They knew we were coming. They should have been prepared to answer those questions."

Hunter McKee, public information officer for OSBI, said Allen-Lowe's letter was "received directly by the commission, and director Spurlock was aware of the letter."

"Our team did meet with Ms. Lowe prior to today's meeting to personally address any of her concerns," McKee said in an email late Wednesday. "That interaction was not held in lieu of any meeting or discussion Mrs. Lowe would like to have with our commission. Due to the issues discussed in open session of our meeting this morning, we were not able to discuss that specific item or others that we intended to address today. However, we are working with the commission and others to allow discussion of all appropriate topics at future meetings."

Agenda items failed to identify purposes of executive session

About 30 minutes into Wednesday's meeting, commissioners attempted to go into executive session.

That's when Schneider told commissioners that two of the items listed on the agenda to be discussed in executive session were too vague.

One item said commissioners were to "discuss the employment, hiring, appointment, promotion, salary, demotion, discipling or resignation of any individual salaried public officer or employee." The other item said commissioners were to discuss "matters where disclosure of information would violate confidentiality requirements of state or federal law."

Schneider said both violated the intent of the Open Meetings Act, and he referenced a 1997 attorney general's opinion, which stated that agenda items for an executive session should identify the matters of business and purposes of the executive session.

Marsee defended her decision to ask the Attorney General's Office for assistance in the wake of Wallace's May 2 resignation as general counsel.

"It's always important to have a general counsel who can lead the agency through any type of issues that we're dealing with," Marsee said after the meeting. "The Attorney General's Office is routinely tasked in assisting agencies with that, and so that's why I made that request."

Regalado asked Marsee and other commissioners to give more notice if they have

concerns.

"It completely derailed our discussions that were going to take place," he said during the meeting.

Spurlock said the OSBI has two attorneys on staff who are able to handle legal matters for the commission.

"I think we're absolutely capable of having our own legal representation for purposes of managing executive session," Spurlock told commissioners. "I think we can provide the legal staff for the meeting."

But Marsee said she preferred that the commission have its own legal counsel, a best practice that ensures a governing board and an agency director can each have their own attorney.

"We need to make sure that we're not relying just on the lawyers on the board, that we have our own counsel, and that is why I was looking to the AG's office for," Marsee said.

If the OSBI Commission meets in August, two new commissioners could be at the table, pending State Senate confirmation hearings this month.

As the member representing police chiefs, Joe Prentice resigned from the commission earlier this year after he retired as chief of police in Okmulgee. Gov. Kevin Stitt has appointed The Village Police Chief Russ Landon to replace Prentice, although Landon has not seen his nomination approved by the Senate, and he sat along the wall with other observers at Wednesday's meeting.

Former University of Central Oklahoma President Roger Webb is also being replaced after serving 11 years on the commission. Webb was not in attendance Wednesday, and neither was his replacement, construction company executive Jeffery VanHoose, whose term would begin July 2 if he is confirmed by the Senate.

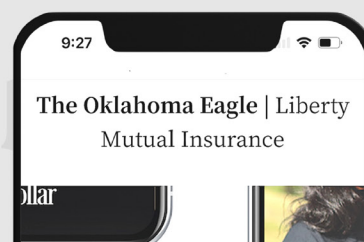
OSBI Commission members are appointed by the governor to seven-year terms.

MICHAEL MCNUTT became NonDoc's managing editor in January 2023. He has been a journalist for nearly 40 years, working at The Oklahoman for 30 years, heading up its Enid bureau and serving as night city editor, assistant news editor and State Capitol reporter. An inductee of the Oklahoma Journalism Hall of Fame, he served as communications director for former Gov. Mary Fallin and then for the Office of Juvenile Affairs. Send tips and story ideas to mcnutt@nondoc.com.

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DAVIS CORRECTIONAL FACILITY in Holdenville is a medium security men's prison that can house up to 1,670 inmates. PHOTO WHITNEY BRYEN/OKLAHOMA WATCH

Criminal Justice Bills

Key Criminal Justice Bills in Limbo as Session Winds Down

Keaton Ross
Oklahoma Watch

Bills to charge more shoplifting offenses as felonies and mandate lenient prison sentences for domestic violence survivors are in limbo with three weeks to go in the legislative session, but several other criminal justice measures have been signed into law.

Claiming a spike in theft, lawmakers in both chambers approved versions of Senate Bill 1450, which would lower the felony theft threshold from \$1,000 to \$500. The bill would also increase the theft aggregation period from 90 days to one year and deputize several retail theft officers under the Attorney General's office.

The measure is pending in a Senate conference committee, where lawmakers look to iron out differences and arrive at a single version of a bill.

Proponents argue the measure is necessary to protect business owners and deter repeat shoplifting offenders. Critics point to state crime data that shows a slight decrease in larceny rates over the past three years and analysis that shows changing the felony theft threshold could cause the state's prison population to increase.

If enacted, SB 1450 would be a partial rollback of State Question 780, the 2016 voter-approved criminal justice reform

measure that reclassified several drug and property offenses from felonies to misdemeanors. Oklahoma's prison population dropped by nearly 20% within five years of the measure taking effect.

Michael Olson, the policy counsel for Oklahomans for Criminal Justice Reform, said the organization understands the need for businesses to protect against organized theft rings but fears the bill is too far-reaching.

"As currently written, it could implicate anyone who shoplifts at any point," Olson said. "If we're going to be focused on organized retail theft, and retailers seem genuinely worried about it, we should focus on the organizational aspect of people stealing large quantities and holding it for resale, not single moms stealing diapers and things like that."

The Senate voted overwhelmingly on April 24 to override Stitt's veto of Senate Bill 1470, which would allow survivors of domestic abuse to petition a court for a reduced sentence. The bill also includes a retroactivity clause for individuals already in state custody.

The measure easily cleared both chambers but faced late opposition from the Oklahoma District Attorney's Association, which maintains the bill is overly broad and would allow violent offenders to obtain a lighter prison sentence. Stitt mentioned similar concerns in his veto message.

The House has until May 31 to vote

on a veto override and enact SB 1470 notwithstanding Stitt's objection. Majority Floor Leader Jon Echols, who has sway in which bills are and aren't heard, is signed on as the bill's House author.

Several bills cracking down on domestic abuse, shielding death penalty records and streamlining expungement have already been signed into law.

Senate Bill 1211 by Kristen Thompson, R-Oklahoma City, increases the maximum punishment for strangulation offenses from three to 10 years. Oklahoma's domestic violence rate reached a 20-year high during the COVID-19 pandemic in 2020 and has only slightly declined in recent years. More than 25,000 domestic abuse incidents were reported to Oklahoma law enforcement in 2022, according to the Oklahoma State Bureau of Investigation. Of those, 105 victims were murdered.

"The statistics related to strangulation are incredibly alarming, and this form of violence is often a precursor to more severe or even fatal forms of abuse," Thompson said. "Strangulation should never be tolerated and increasing the punishment for this crime will send a strong message."

Also passing this session is Senate Bill 1702, which specifies that the state's confidentiality exemptions for death penalty records should be broadly interpreted. Bill sponsor Julie Daniels, R-Bartlesville, said the measure is necessary to protect the state's execution drug supplier, but critics

argue it comes at the cost of transparency.

"This bill essentially makes it impossible for the families of those who undergo the death penalty to find out what happened on the execution table, what drugs were used, and who was administering the drugs," House Minority Leader Cyndi Munson, D-Oklahoma City, said after the bill advanced to the governor's desk. "It eliminates the responsibility needed for those who are killing people in the name of the state of Oklahoma."

Senate Bill 1770 allows multiple expungements from the same county to be processed in one request, saving petitioners time and money. The state aims to begin processing some expungements automatically by late next year.

The Department of Corrections, which last week withdrew an \$8 million request to revive the prison rodeo at the Oklahoma State Penitentiary in McAlester, is set to receive a flat appropriation, according to the House's budget transparency portal.

Negotiations are ongoing for district court funding, with the House and Senate differing on whether to provide a judicial salary increase.

The regular legislative session must conclude by May 31.

KEATON ROSS covers democracy and criminal justice for Oklahoma Watch. Contact him at (405) 851-9753 or Kross@Oklahomawatch.org. Follow him on Twitter at [@_KeatonRoss](https://twitter.com/KeatonRoss).

Who Is Indian

A tension exists between prior court determinations and later U.S. Supreme Court cases.

From A8

Freedmen are Indian or non-Indian. Instead, they must apply the Rogers test individually to each defendant and make a determination on whether they possess "Indian blood" when determining criminal jurisdiction.

According to the Cherokee Phoenix, there are about 15,000 Cherokee Freedmen descendants enrolled in the Cherokee Nation today. Vann described the Rogers decision and its progeny's application to Freedmen as "incorrect interpretations."

"The situation of the intermarried whites (like Rogers in the 1840s) is not the same as the situation of the Freedmen," Vann said. "The rights of the intermarried whites were less than the Freedmen or the adopted Delaware or adopted Shawnee."

The 1840s murder that defined 'Indian'

In 1846, a white man with Cherokee citizenship named William S. Rogers stabbed his brother-in-law to death with a \$5 knife. While other details of the slaying appear lost to time, Rogers' case still defines how courts determine who is an Indian for criminal jurisdiction.

According to an article by professor Bethany R. Berger, Rogers and his brother-in-law, Jacob Nicholson, were both American citizens who had married Cherokee women. Under Cherokee law of the time, they were also considered Cherokee citizens.

Berger notes that, despite the existence of federal court records, neither woman's

name appears to have been recorded, a historical symptom of the missing and murdered Indigenous women crisis still being reckoned with today.

Rogers was a Tennessee soldier who fought against the Cherokee Nation before marrying his wife and joining her on the Trail of Tears to Indian Territory. His wife died in 1843, and on Sept. 1, 1844, he murdered Nicholson "with a certain knife, of the value of 5 dollars" and spent the next several months evading the authorities before his capture on April 2, 1845, by Cherokee Nation Sheriff Alexander Foreman.

Since the Cherokee Nation has not historically operated its own jails, Rogers was handed over to U.S. troops at Fort Gibson while he awaited trial in the Cherokee Nation. However, federal officials in Indian Territory had a different plan for Rogers. On April 5, he was sent to Little Rock, Arkansas, for prosecution in federal court.

Rogers, representing himself April 18, argued that the federal court lacked jurisdiction over him, an Indian defendant who had murdered an Indian within Indian Country.

While Judge Benjamin Johnson agreed with Rogers, U.S. Supreme Court Justice Peter Daniel happened to be in town "riding the circuit," a now-abandoned practice of Supreme Court justices traveling the nation to hear lower court cases.

Unfortunately for Rogers, the Judiciary Act of 1793 required an automatic appeal when a Supreme Court justice was in town riding the circuit, and Daniel disagreed

with the district judge's ruling. Not wanting to wait for his appeal, Rogers escaped the Little Rock jail on May 12, 1845, and drowned while attempting to cross the Arkansas River into the Cherokee Nation.

However, death did not stop the wheels of justice on Rogers' appeal. The court clerk certified Rogers' case record for appeal on July 28 and sent the record to the U.S. Supreme Court. During the appeal, no one informed the court of Rogers' death, and no one appeared for the defense.

Rogers decision denies Freedmen recognition in federal courts

Had the Supreme Court been informed of Rogers' death, it would have likely dismissed the case. Unburdened with knowledge of the case's mootness, Justice Roger Taney proceeded with U.S. v. Rogers and provided the outline of the legal definition of Indian that federal courts still use today.

The Trade and Intercourse Act of 1834 exempted "crimes committed by one Indian against the person or property of another Indian" from federal jurisdiction, leaving them for tribal governments to address. Rogers argued that, since both parties were legally Cherokee citizens, the Trade and Intercourse Act prevented the federal government from exercising jurisdiction.

The court disagreed. Taney, writing for the court and using a 19th-century logic of race, linked being Indian to blood and concluded the defendant Rogers "was still a

white man, of the white race, and therefore not within the exception in the act of Congress."

For Taney, the status of being Indian was not political, as it is understood today, but racial:

And we think it clear that a white man who at a mature age is adopted in an Indian tribe does not thereby become an Indian and was not intended to be embraced in the exception above mentioned. He may by such adoption become entitled to certain privileges in the tribe, and make himself amenable to their laws and usages. Yet he is not an Indian, and the exception is confined to those who by the usages and customs of the Indians are regarded as belonging to their race. It does not speak of members of a tribe, but of the race generally.

A tension exists between Taney's century-old guideline for how courts determine who is an Indian in criminal cases and later Supreme Court cases that describe Indian status as a political relationship for the purpose of civil cases.

The Cherokee Nation's push for a change to Taney's old rule poses potential resolution of that tension.

TRISTAN LOVELESS is a NonDoc Media reporter covering legal matters and other civic issues in the Tulsa area. A citizen of the Cherokee Nation who grew up in Turley and Skiatook, he graduated from the University of Tulsa College of Law in 2023. Before that, he taught for the Tulsa Debate League in Tulsa Public Schools.



Canvassers

Getting Out The Vote, IN TULSA

It's about the relationship that we're building with each of the candidates.

Emilee Bounds, Director, ACTION

From A3

needs for a thriving community. "We've heard from a lot of community members about what's important and some of the major issues that come up are things that wouldn't surprise you. It's people wanting basic infrastructure in their neighborhoods. It's people who need more mental health access, better opportunities for youth. They want their schools to be stronger. They want safer communities," said Terence Crutcher Foundation Deputy Director Shedy Brown.

Story Sharing

Through the efforts of ACTION, Emilee Bounds, the organization's director, said her organization remains nonpartisan. They ask people to share stories rather than opinions about an issue or government official to stay above the fray.

"We're asking, tell me a story about what is going on at your child's school," she said. "That's where we started hearing things about bullying, transportation, absenteeism, health and not enough adults in the classrooms."

ACTION's key initiatives go right to the heart of the health and safety of community,

reimagining school transportation, getting political commitments, building citizen associations, promoting safe gun storage to reduce violence, and advocating for transportation access for tenants.

Bounds said ACTION holds accountability sessions with political candidates and asks them to commit to work with them on each issue. The most recent accountability session was held for the Tulsa Public School board candidates.

"We ask candidates, will you agree to work with us to do these things? And so, it's about the relationship that we're building with each of the candidates," Bounds said. "Each of the candidates that we met with also helped to inform our agenda. You know, we were altering things as we were having conversations with them and hearing about their experiences."

Voters are invited to the accountability session to hear how candidates respond and make decisions on how to vote. The next job for ACTION is to tell people through the canvassing process to get people out to vote, pointing out the low turnout and winning margins that are sometimes as low as 30 votes.

ACTION members are gathered by building associations around common interests. "We organize through institutions, institutions, being

churches, PTAs, or unions, nonprofits. People can always form their own institution."

Bounds said one of the latest projects that has come from community action networks is a tenant association, where public transportation issues rank higher than housing affordability, so ACTION plans to advocate for more public transportation funding.

The leaders of the Terence Crutcher Foundation and ACTION want Tulsans to expect a knock on the door on an upcoming Saturday before the city, state and federal elections. Consider opening the door to participate in community building canvassing, to add your voice. Recognize that opening that door is a way to help build your own community for the better by sharing your own stories that illustrate needs that can be placed in front of government candidates and officials to resolve.

Find community walk schedules at <https://www.terencecrutcherfoundation.org/events>

Find ACTION Accountability Session schedules and canvas information at <https://www.actiontulsa.org/calendar>.

KIMBERLY MARSH is a contributing writer at the Oklahoma Eagle. She is a native Oklahoman. Public education is one of her passions.

Vehicle Scheme

An odometer disclosure statement gave a false number of 22 miles

Pittsburg County Clerk Hope Trammell tipped off District Attorney Charles Sullivan to Morris' personal purchase of a 2023 Polaris utility vehicle, which he then resold in December to the Pittsburg County Sheriff's Office.

From A8

Vicars Powersports change the invoice from saying "used" to "new" because he knew he was purchasing a used vehicle, the affidavit states.

Affidavit: Morris disliked that vehicle 'had already broken down'

According to the affidavit, Bills said Morris and Vicars were friends and that Vicars made the deal for Morris to trade the Polaris for the Can-Am and the subsequent purchase of the Polaris by the sheriff's office.

Vicars told Drummond he made the deal with Morris and that he gave Morris more of a trade-in value for the Polaris because Morris had added a lift kit, aftermarket wheels and tires, and other accessories. Vicars said his company holds a state contract for the purchase of Polaris vehicles and that he knows how the bidding process works, Drummond wrote.

However, Drummond said he discovered that Morris had removed the lift kit, aftermarket tires and wheels and other accessories after making the deal with Vicars. In a follow-up interview, Vicars told Drummond he did not know the accessories had been removed because Morris retained possession of the Polaris and never brought the vehicle back to the dealership before it was transferred to the county, according to the affidavit.

Loyd London III, a dispatcher for the sheriff's office, told OSBI agents that Morris told him he did not like his Polaris "because it had already broken down and he needed to find a way to get out from under it," the affidavit said.

Drummond photographed the Polaris in February and observed that the odometer showed 695 miles and the exterior was covered with scratches including damage to the tailgate, according to the affidavit. The windshield was also damaged and cracked.

Morris remained the registered owner of the Polaris until Jan. 17, despite a tendered check

from Pittsburg County on Dec. 4, the affidavit states. When Morris and Vicars Powersports submitted documents to change ownership, the odometer section was left blank. An odometer disclosure statement gave a false number of 22 miles. In September, documentation from a warranty repair listed the mileage as 404 miles.

OSBI Special Agent Adam York obtained the original invoice from Polaris Inc. showing the vehicle's first purchase for a price of \$28,952. The vehicle was re-sold to the Pittsburg County Sheriff's Office for \$31,099, which was above the manufacturer's suggested retail price of \$30,799, the affidavit said.

Drummond wrote in his affidavit that he obtained records regarding the loan on the Polaris, which showed Morris' personal loan for the amount of \$28,568.38, which was satisfied in December by a new loan for the Can-Am. Morris claimed he needed the loan to refinance the Can-Am. However, the Polaris remained as collateral to secure the loan for six weeks after the sheriff's office purchased the Polaris. When Drummond confronted Morris with the bank records, Morris told him someone at the bank must have made a mistake, the affidavit states.

During his interview with Drummond, York and Morris' attorney, the sheriff said he bought the Polaris for his personal use in August. Unsatisfied with the purchase after a few weeks, Morris said he wanted to trade his four-door model for a two-door Can-Am. During this time, Morris said he was still using the Polaris until "something on the rear axle broke" and he brought it in for a warranty repair.

Morris denied that the purchase of the Polaris for the sheriff's department was connected to his purchase of the Can-Am, according to the affidavit. But Drummond wrote that he discovered an original purchase request for the county to buy the Polaris was made in November.

Four days prior to his arrest, Morris shared a [Facebook post](#) inviting potential voters to a meet and greet with him Saturday, May 25. In 2019, Morris changed his political party from

Democrat to Republican in the middle of his first term.

In his statement on his campaign Facebook page, Morris asked voters for their support.

"It is paramount that you keep (a) strong sheriff with proven leadership for our county," he said. "I ask now more than ever for your support, and I ask that all of you stand strong, go vote and keep a constitutional sheriff that knows his duties, stands up for the citizens of Pittsburg County not only as your sheriff, but is not afraid to stand up for what is right and be a voice for the people."

Chris Morris background

Prior to Morris' victory in the 2016 sheriff's race, he served in the McAlester Police Department for 19 years. At the time of the election, he held the position of detective sergeant.

In 2008, Morris was first [suspended and then fired](#) from the McAlester Police Department for driving while under the influence of alcohol, failure to signal and failure to stop at a stop sign. He returned to the police force in 2009 after an arbitration hearing in which he was supported by the police union.

During his first term as sheriff, Morris was [investigated by the OSBI](#) for an alleged domestic incident at his home in January 2019. Morris denied that the incident occurred, maintaining that there was "no crime and no victim."

Hass, Morris' opponent this year, worked as a detective for the Pittsburg County Sheriff's Office in the beginning of Morris' first term. Since 2017, Hass has been working for his company, Hauling Hass Construction.

FAITHANNA OLSSON is conducting a summer editorial internship with NonDoc in 2024. She is a senior at Oklahoma Christian University majoring in journalism with a minor in political science. She has been a reporter for OC's campus newspaper, The Talon, for three years and is set to serve as editor in chief for the 2024-2025 academic year.

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Wednesday Bible Study - 5:00pm

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Wednesday Prayer - 7:30 pm
Wednesday worship - 8pm

Rev. John W. Anderson

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F: 918-587-0642
vernonamechurch@sbcglobal.net

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BURNT SIENNA A Creative Passion & The Identity of An Artist: Charisa Dene Jacobs

BY ROSS D. JOHNSON

Identity, through art, is seldom accomplished with intent.

Applied brushwork, the effect of technique, scale, pigment, and preferred subjects may engender a sentiment or feeling from the observer, yes, but an artist's identity is slower to evolve.

An artist, sadly, may enjoy a life of profound creativity, pleasures, trials, and celebrations, yet be denied a broadly recognized identity.

Although their passions, through art, are generally embraced, no immediate and familiar relationship between the artist and hand is apparent.

In Charisa Dene Jacobs' "Heritage", "Beloved", and "Sanctuary" collections, the underlying and grounding effect of burnt sienna is one aspect of the Tulsa, Okla. artist's identity. Her bold brushwork, apparent connection to subjects and expressive application of color equally inform her mark.

Jacobs' identity isn't simply a mark of consistency or recognition. Each work and series, shared Jacobs, is "my own personal journey of identity. A diary of... how I am navigating through life."

Madame x Josephine

"An expression of the romantic," as described by Jacobs, "Madame x Josephine" (2020) is the result of what occurs when you "make it your own."

Inspired by the works of John Singer Sargent and vintage photographs of Black Americans, Jacobs has created twelve works for the collection. Charisa's "Madame X" appears to have evolved the late 19th century signature work of Sargent, producing a contemporary subject, Madame Pierre Gautreau. Absent is the pale-skinned, powdered visage of the Parisian socialite, reimagined is a work that continues to draw attention to Gautreau's hourglass figure and free spirit.

"Josephine Baker" and "Josephine Baker II" (2020), the eponymously titled works of the collection, are striking representations of the iconic American-born French dancer, singer and actress who was the first black woman to star in a major motion picture. Baker's countenance, in both works, is a key focal point, possessing a depth of passion, challenge and triumph.

"Black Man in Suit", Jacobs' work dedicated to her father, Claude Jerome Jacobs Jr., and the beloved Sidney Poitier, reflects the artist's personification of being a "classy man." Meaningful beyond cliché, "a classy man," as depicted through Poitier's roles, and certainly Jacobs Jr. life, was and is committed to encouraging the best of humanity, an enduring and selfless pursuit of justice and being unshaken by the challenges related these pursuits.

In a wool and patterned waistcoat, breaking beneath a burnt sienna tie, framed by a neutral-colored jacket of the era, Jacobs' "Black Man In Suit" is an iconic figure admired by all.

The Black American Cowboy

"There are certain things that I must do, Black American Cowboy" is one such collection, shared Charisa, who embraces the power of identity and its ability to positively shape the perceptions of all people.

The "Black American Cowboy", a collection of history-inspired works exhibited in the Vast Bank N. Elgin Avenue office lobby in April 2024, frames each subject with Jacobs'



signature burnt sienna brushwork. Placed upon the warm palette of Oklahoma's midday skies and grasslands each Black American Cowboy is a source of story and personal narrative. Each subject of great physical structure.

"After a Day's Work" (2022) and "The Maverick" (2022) reflect Jacobs' application of color with a perceived intent to ground subjects, center the men of her work, and often appear to be marks of their spirit or passion. Accented by tints and shades denim or canvas blue, and a red hue of puce, Black American Cowboys appear as both icons and common upon canvases.

Jacobs offers viewers context about the collection, sharing that "research shows that 25 to 30 percent of American Cowboys were Black American," insight fully substantiated by historians like Kenneth Porter.

William (Humpty) Wayne Jr., a subject of Jacobs' "The Black American Cowboy" collection, is a North Tulsa professional rodeo competitor

who she describes as adding "an authentic masculine beauty" to her work. Wayne Jr.'s inclusion in the collection, cast before a background of an early Oklahoma sky above his family's roping arena, reflects a sincere effort to offer viewers a greater sense of the past, present and future of "The Black American Cowboy."

The Beloved Collection

"A casting away of the stigma of shame often attached to the female nude form and celebrating her as a holy creation" is the stated foundation of Jacobs' "Beloved" collection. The artist's work is a welcomed symphony of mood and palette, framed in hues of green and red, centered by subjects unbound, free from stereotype, public perception and forced role.

"Sanctuary", speculatively, because of the linear perspective effected by the tapered cloud background, the throw that rest beneath her then draped out of frame, and the narrowed space created between the arm of the couch and the pillows that adorn it, centers a subject that appears simply, beloved.

Jacobs' work, throughout the collection, is stunning. The signature application of burnt sienna is present, yes, but far less conspicuous, a compliment to her ability to draw viewer's attention to subjects.

We know now...

Charisa Dene Jacobs' work, so closely aligned with her life's journey, passions upon canvas, challenges, accomplishments and shared discoveries are framed by an identity... A familiarity born of brushwork, hue, tone and shade.

The casual art observer, a place that most occupy, may be assured that the relationship between burnt sienna and Jacobs is one of identity.

The casual art observer may be assured an identity of bold statements, profound beauty and heritage.

An identity of sincere passion and creativity.

An identity worthy of embrace.

Burnt sienna.



JOSEPHINE BAKER (TOP ROW LEFT)
2020 | Oil On Canvas | 48 x 36 inches. | Oil On Canvas | 48 x 36 inches.
By Charisa Dene Jacobs

JOSEPHINE BAKER II (TOP ROW RIGHT)
2020 | Oil On Canvas | 48 x 36 inches. By Charisa Dene Jacobs

AFTER A DAY'S WORK, THE BLACK AMERICAN COWBOY (MIDDLE ROW LEFT)
2022 | Oil On Canvas | 60 X 48. By Charisa Dene Jacobs

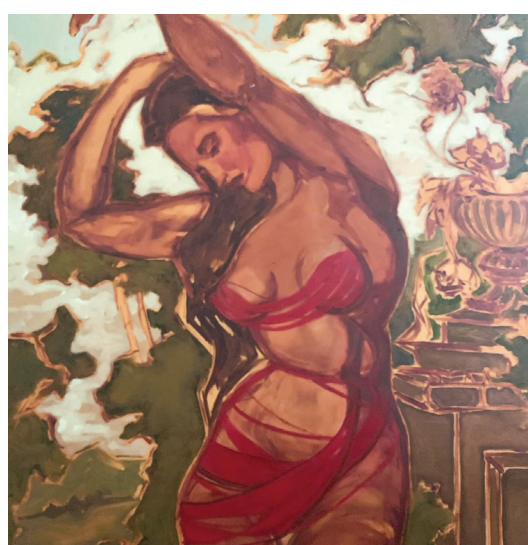
THE MAVERICK (MIDDLE ROW CENTER)
2022 | 48 X 36 | Oil On Canvas. By Charisa Dene Jacobs

WILLIAM (HUMPTY) WHAYNE JR., TIE-DOWN CALF ROPER FROM OKLAHOMA (MIDDLE ROW RIGHT)
2022 | Oil on Canvas 2022 Guts and Glory Calf Roping Champion 7x American Cowboys Rodeo Association finalists 2012 Bill Pickett Invitational Rodeo calf roping champion. By Charisa Dene Jacobs

BLACK MAN IN SUIT (BOTTOM ROW)
2020 | Oil On Canvas | 48 x 36 inches. By Charisa Dene Jacobs

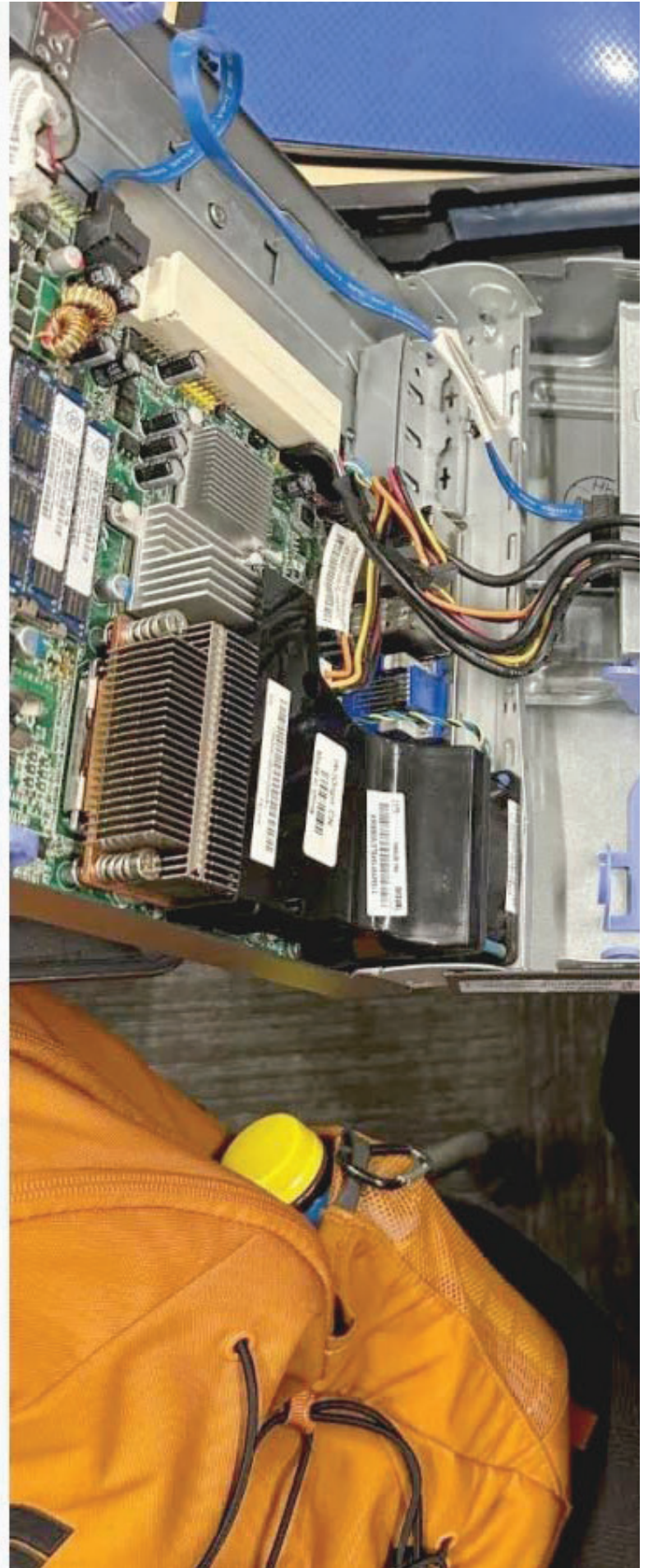
BELOVED (SANCTUARY) (BELOW LEFT)
2021 | Oil On Canvas | 60 x 48 inches . By Charisa Dene Jacobs

THE BRIDE (SANCTUARY) (BELOW RIGHT)
2021 | Oil On Canvas | 60 x 48 inches . By Charisa Dene Jacobs



TWO YEARS AFTER BUFFALO MASSACRE, HATE CRIMES TARGETING
BLACK COMMUNITY SHOW NO SIGNS OF ABATING | A16

Bringing Free Digital Literacy Training to Underserved Communities



BYTE BACK. PHOTO THE AFRO

Digital Literacy

Byte Back is a nonprofit working to close the digital divide in Washington D.C. and Baltimore.

Megan Sayles
Word In Black

In February, retired Navy veteran John Wright came to his social worker with a new interest. He wanted to learn more about computers.

Wright, 58, spent much of his career in security and law enforcement and was comfortable performing day-to-day tasks without relying on technology. But, it was time for a change.

"I noticed I wasn't as literate in computers as I needed or wanted to be," said Wright. "I set the goal for myself to learn new things and adapt to them."

Wright's social worker from the Veterans Affairs Department began looking for computer training classes and schools that Wright could join. She landed on Byte Back, a nonprofit working to close the digital divide in Washington D.C. and Baltimore.

To achieve this lofty goal, the organization provides free digital literacy and tech certification training to residents from underserved communities. In Computer Foundations 1, adults who have limited experience with digital devices learn how to use a mouse, navigate their email and the internet and about computers' components and processes.

A Workforce for The Future

They build on this knowledge in Computer Foundations 2, learning how to use Microsoft Word, Excel and PowerPoint in their daily lives and in professional settings.

Wright's already completed Computer Foundations 1, and he's enrolled in Computer Foundations 2.

"I feel more comfortable when I'm navigating the computer as far as using apps. I now know what the terminology means when someone says something pertaining to a computer," said Wright. "I actually know how to compose an email, send it and how to use the search bar to recover emails I've sent. They've helped me to be confident in my abilities."

Paying his rent online has also become easier.

"When I go into my rental portfolio, I know I have to do a left click to go to the next page," said Wright. "Before, I wasn't sure if it was a right click or left click."

Byte Back's programming has become increasingly important considering so much of everyday life is now tied to technology. Today, people use devices to pay their bills, book travel, manage their health, shop and more.

Baltimore site director Wynisha Witt said the COVID-19 pandemic especially shed

Cont. A16

Class of Courage

2024 Howard Graduates Declared as Class of 'Courage'

Howard University celebrated its largest graduating class in history.

Bousaina Ibrahim
Word In Black

A rainy Saturday morning turned bright and sunny as more than 20,000 supportive friends, parents, and alumni filled Capital One Arena to celebrate the largest graduating class in Howard University history for the institution's 156th commencement convocation.

While commencement exercises started earlier in the week, during the Saturday, May 11 ceremony, 2,839 graduating students were recognized for their resilience, growth, and determination.

Thasunda Brown Duckett, president and CEO at the Teacher Insurance and Annuity Association (TIAA), a leading provider of financial retirement services, served as commencement speaker. Duckett congratulated the graduating class on their successful milestone and reminded them that courage is woven into Howard's history.

"Students before you navigated wars and

Cont. A16

Digital Literacy

Digital Inclusion



PHOTO ADOBE IMAGES

From A15

light on this reality.

“We came to realize that technology is really at the intersection of everything. It became really transparent with the pandemic, especially with Baltimore City residents needing to access their food stamps, supplemental security income and all of their benefits online,” said Witt. “People were losing their benefits because they weren’t able to do redeterminations on pen and paper and couldn’t go to offices at the time.”

In 2021, Baltimore Mayor Brandon M. Scott created the Office of Broadband and Digital Equity and tasked it with permanently closing the digital divide in the city by 2030. This includes providing residents with access to reliable, high-speed internet, devices, digital skills training and technical support.

Two years later, the mayor used \$1 million in American Rescue Plan Act (ARPA) money, to launch the Digital Equity Fund. The initiative has since awarded grants to 22 organizations working to expand digital inclusion. Byte Back received \$74,739 to support its digital literacy curriculum.

“It’s really important for individuals here in Baltimore City to have access to classes that are teaching them how to navigate the computer and how to do it safely. A lot of individuals that I come into contact with are fearful of using the computer,” said Witt. “Because we’re providing a safe space, we’re able to show them that the internet is not a scary place and that it can be an asset to them.”

The other class that Byte Back offers is IT Fundamentals (ITF+) through the Computing Technology Industry Association (CompTIA). It’s an entry-level course on basic IT skills and competencies. The organization also offers Network+ and Security+ certifications through CompTIA.

The classes expose participants to fundamentals for careers in help desks, cybersecurity and network administrators and equip them with industry certifications.

“It sets them up to identify which pathway they want to take,” said Winn. “These jobs can increase their income significantly, and they are more accessible because a lot of jobs outside of an IT technician are remote. A lot of barriers that people have to employment are alleviated when it comes to transportation and childcare.”

Baltimore native Beronica Martin discovered

Byte Back while working as a home health aide. A client of hers was enrolled in Computer Foundations I, and Martin would take him to the classes.

Her interest was piqued after listening in on a few sessions, and she decided to enroll herself. Martin has now taken both Computer Foundation I and II, and she’s preparing to enroll in the Security+ training.

She, like Wright, had limited knowledge of computers.

“I probably was introduced, but I didn’t grasp it,” said Martin. “I think now that I’m older, I’m able to grasp it.”

Now a medical assistant, Martin has used some of her new-found skills to design flyers and memos at work. She has also encouraged her aunt, who is an older adult, and a friend, who is a returning citizen, to take the training.

“You’re going to need technology in every aspect of living now. Everything from going to the market to paying your bills is mostly online,” said Martin. “This training gives you a better opportunity to do these things and to go on a different career path if you want that.”

Both Wright and Martin said they consider their classmates and instructors at Byte Back as family. They encourage one another and check in when someone is absent.

“Byte Back has turned into an extended family of mine,” said Wright. “I know if I’m having problems, I can always call them day or night or leave an email, and they will address any concerns that I have. Nothing is too trivial.”

This year, Byte Back’s Baltimore office is focused on making its classes more accessible. The organization intends to forge partnerships with senior housing facilities to engage more older adults and with organizations in each region of the city.

Winn hopes this will curb transportation challenges that prevent residents from taking the classes.

“Because classes are in-person, the constant conversation is about transportation,” said Winn. “Going forward, we’re trying to gain funding so that we’re able to provide a stipend to help support individuals while they’re in classes.”

Megan Sayles is a Report for America corps member.

This story is part of the Digital Equity Local Voices Fellowship lab. The lab initiative is made possible with support from Comcast NBC Universal. □

Hate Crimes

Persistent Threat: Two Years After Buffalo Massacre, Hate Crimes Targeting Black Community Show No Signs of Abating



THE TOPS SUPERMARKET on Jefferson Avenue in the Cold Spring section of Buffalo, New York, as seen on a February 2022 afternoon. PHOTO ANDRE CARROTFLOWER/WIKIMEDIA COMMONS

Stacy M. Brown
Word In Black

The FBI data reveals that over half of reported hate crimes nationwide between 2020 and 2022 targeted Black individuals, with a 14.6% rise in 2022, and the “Unity” monument at Tops Supermarket serves as a reminder of the ongoing racial violence against Black communities.

As the nation commemorates the second anniversary of the heinous Buffalo mass shooting that claimed the lives of 10 Black individuals at a Tops supermarket, a painful reality emerges: hate crimes against Black communities continue unabated, casting a long shadow over efforts for justice and equality.

“It was a modern-day lynching,” Garnell Whitfield Jr., son of victim Ruth Whitfield, solemnly remarked about the May 14, 2022, hate-fueled massacre.

“I’ll always carry the scar of 5/14 and what happened to my mother. So, I don’t expect to be healed,” Whitfield said during a televised interview. “I know that’s something everybody talks about. I think that’s kind of an unrealistic expectation.”

In addition to Ruth Whitfield, 86, the other victims were Roberta Drury, 32; retired Buffalo police officer Aaron Salter Jr., 55; Heyward Patterson, 67; Pearl Young, 77; Geraldine Talley, 62; Celestine Chaney, 65; Black Press journalist Katherine “Kat” Massey, 72; Margus Morrison, 52; and Andre Mackniel, 53.

The racist murders, which self-described white supremacist Payton Gendron carried out, shook the nation. Yet, despite pledges for change, the latest FBI data reveals a disturbing trend: between 2020 and 2022, Black individuals were targeted in over half of reported hate crimes nationwide.

The numbers are staggering. They show hate crimes against Black youth have seen a relentless rise, climbing steadily over the past three years. From the Dollar General store tragedy in Jackson, Ohio, to the Walmart shooting in Beavercreek, Ohio, the Black community remains under siege.

Researchers at ABC News said they analyzed the most recent FBI data which revealed that more than 8,500 hate crimes reported nationwide between 2020 and 2022. African Americans were targeted in 52.3% of the offenses. Between 2021 and 2022, the network reported that the numbers rose from 2,217 to 3,421, making Black people four times more likely to be targeted than the overall U.S. non-Hispanic Black population.

Hate crimes targeting Black people under the age of 18 rose 10% in 2020, 12% in 2021 and 14.6% in 2022, according to the data.

Further, the latest research from Columbia University highlighted the significant impact of structural racism on health outcomes, particularly mental health. Through the school’s Psychiatric Epidemiology Training (PET) Program, scholars revealed compelling evidence linking systemic racial biases to disparities in diagnoses, notably in conditions such as depression and schizophrenia.

Led by Professor Katherine Keyes, the Columbia findings highlighted how structural racism permeates various facets of society, influencing access to healthcare services, environmental factors like housing and nutrition, and societal norms, all of which ultimately contribute to divergent health outcomes.

Additionally, legislative measures like the Emmett Till Antilynching Law were meant to stem the tide of racial violence. Yet, with no charges filed under the law to date, its effectiveness remains in question. Even as justice was served in the Ahmaud Arbery case, where perpetrators were convicted on state and federal hate crime charges, such victories are few and far between.

In Buffalo, efforts to bring the perpetrator to justice have been met with mixed results. Gendron, sentenced to life in prison for his crimes, awaits the federal death penalty. However, the indictment of social media companies for their role in radicalizing the gunman reveals a complex legal battleground where accountability is elusive.

The lawsuit, spearheaded by relatives of the victims, accuses social media platforms of facilitating Gendron’s descent into extremism. While companies like Twitch and Google deny these allegations, the battle for accountability wages on, amid growing concerns over online radicalization.

Initiatives, like the “Unity” monument that organizers planned to unveil at Tops Supermarket, have served to offer solace but do little to assuage the pain of loss. For Whitfield and others, the scars of May 14 will always run deep, a stark reminder that justice delayed is justice denied.

“So, 5/14 may be significant for some,” Whitfield reflects. “But it’s no more significant on 5/14 than it is on 5/13 or 5/12, or today. I have to live the rest of my life without my mother and with what happened to her.”

The post Persistent Threat: Two Years After Buffalo Massacre, Hate Crimes Targeting Black Community Show No Signs of Abating appeared first on The Washington Informer. □

Class of Courage

The journey continues

From A15



THASUNDA BROWN DUCKETT, president and CEO at the Teacher Insurance and Annuity Association (TIAA), a leading provider of financial retirement services, served as the 2024 Howard University commencement speaker. PHOTO JA/MON JACKSON/THE WASHINGTON INFORMER

sit-ins and unrest and kept moving forward. So don’t get discouraged. You’re here in your beautiful regalia and your courage is shining through,” Duckett said.

Duckett, who became the first Black woman to hold her CEO position at TIAA in 2021, urged the graduates to begin their careers after college with a smart financial outlook. She recommended that students save at least 10% of their income to generate more wealth throughout their life.

“Today is the time to think about the power of investing, the power of saving, and the power of compounding interest. I need all of you to start saving early because a dollar saved today is worth more than a dollar saved tomorrow,” Duckett said.

Howard President Ben Vinson III said he was honored to celebrate his first commencement ceremony as president. Vinson recognized the resilience of the Bison graduates before him, particularly the undergraduates, whose high school graduation was abruptly taken away when the pandemic hit.

“Your journey from then to now has been unlike any other graduating class before. And yet, it is precisely what makes each of you prototypical Howard students. You exemplify the Bison spirit,” Vinson said.

Like most of her classmates, Africana studies major Ariel Gordon started her Howard experience in 2020 virtually, amidst the

COVID-19 pandemic. A St. Louis, Missouri native, Gordon said she saw the connection between what she was learning in her online classes with Dr. Greg Carr and others, and the violence she was working to prevent in her own community.

“I think us 2024 graduates have a different perspective on learning at Howard,” Gordon told The Informer. “For us, our education is within the world and not just in the confinement of an institution. We’re maneuvering our own hoods, our own cities, and using our knowledge and curiosity to get us through and think differently.”

Gordon said some of her favorite Howard memories include her first Homecoming tailgate sophomore year, the Different World campus visit last month, and her study abroad experiences in Costa Rica, Jamaica, Tanzania, and Columbia.

Overcoming Odds Even Graduation Week

President Vinson gave a special shoutout to students at Howard’s College of Nursing and Allied Sciences, who experienced an abrupt cancellation of their Thursday, May 9 graduation.

That Thursday, chaos erupted when visitors were thwarted from entering the ceremony after the auditorium was at capacity. Frustrated loved ones took to shouting and banging on the glass, demanding to be let in, eventually shattering the glass.

However, Howard held a special ceremony for the nursing students following the commencement.

“We apologize for the events that you endured this week, but we stand here to salute you,” Vinson said.

Nursing major Patience Wise was one of 15% of the graduates, who were the first to earn a college degree in their family. Wise told The Informer graduating felt like a huge weight lifted off her shoulders, after her experience was full of highs and lows.

After overcoming so many challenges individually and collectively, Wise said her graduation shutdown greatly disappointed her and her nursing classmates—the largest group of graduates this year.

“We were all devastated. We had worked so hard, and no one will ever really understand that unless they go through nursing school, especially at Howard,” Wise said.

Wisdom Baker said her time at Howard was the ultimate practice of Kujichagulia, the Kiswahili word for self-determination. Having finished her Howard matriculation last December majoring in public relations, Baker explained how the university helped her gain confidence overall.

“I have no excuse not to achieve everything God has put on my heart to do because I have everything I need within me of course, but most thankfully around me,” Baker said.

Her grandmother, Judy Baker, flew on an airplane for the first time from South Carolina to witness Baker’s big moment. Her pride and joy in her oldest granddaughter helped ease the nerves of traveling to D.C.

“I’m so proud of her. I’ve been proud of her all her life. She’s lived up to her name, and she’s going to take it farther. I know it,” the gratified grandmother said.

The post 2024 Howard Graduates Declared as Class of ‘Courage’ appeared first on The Washington Informer. □

Critically Acclaimed Authors To Present Lecture On New Book, 'Just Action: How To Challenge Segregation Enacted Under The Color Of Law'



(TOP LEFT) QURAYSH ALI LANSANA, an author of 20 books in poetry, nonfiction, and children's literature, is a visiting associate professor of English/Creative Writing at the University of Tulsa and is a Tulsa Artist Fellow. PHOTO PROVIDED. (TOP RIGHT) MIMI MARTON is associate dean of experiential learning, director of clinical programs, and clinical professor of law at the University of Tulsa College of Law. PHOTO PROVIDED. (BOTTOM LEFT) LEAH ROTHSTEIN is a public policy and community change consultant and advocate for grassroots programs. PHOTO PROVIDED. (BOTTOM RIGHT) RICHARD ROTHSTEIN is a Distinguished Fellow of the Economic Policy Institute and a Senior Fellow (Emeritus) at the Thurgood Marshall Institute of the NAACP Legal Defense Fund. PHOTO PROVIDED.

Dr. Jerry Goodwin
The Oklahoma Eagle

The University of Tulsa College of Law and Greenwood Rising History Center are welcoming authors Richard Rothstein and his daughter, Leah Rothstein, to Tulsa on May 22. The Rothsteins are authors of "Just Action: How to Challenge Segregation Enacted Under the Color of Law."

The program is in commemoration of the 1921 Tulsa Race Massacre and is scheduled for the TU College of Law Price and Turpen Courtroom on May 22 at 3 p.m.

The featured speakers and presenters are distinguished in law and public policy and literature topics:

Richard Rothstein, a former columnist for The New York Times, is also author of the scholarly and academically recognized "The Color of Law." In his book, he describes "de facto segregation," where under the cover of federal, state, and local laws, unscrupulous real estate agents, unethical mortgage lenders, and exclusionary covenants working outside the law promoted discriminatory practices, prevented fair housing options, and restricted neighborhood choices for non-whites.

Leah Rothstein is co-author of "Just Action: How to Challenge Segregation Enacted Under the Color of Law." She has worked on public policy and community change working with grassroots to government organizations. She led the Alameda County and San Francisco probation departments' research on reforming community corrections policy and practice to be focused on rehabilitation, not punishment. She has been a consultant to nonprofit housing developers, cities and counties, redevelopment agencies, and private firms on community development and affordable housing policy, practice, and finance.

A question-and-answer session after the lecture will be hosted by University of Tulsa professors Quraysh Ali Lansana and Mimi Marton.

Lansana, an author of 20 books in poetry, nonfiction, and children's literature, is a visiting associate professor of English/Creative Writing at the University of Tulsa and a Tulsa Artist Fellow. He is a former lecturer in Africana Studies and director of the Center for Truth, Racial Healing and Transformation at Oklahoma State University-Tulsa. In addition to his

distinguished career in academia, Lansana is executive producer of the nationally and locally award-winning KOSU/NPR's "Focus: Black Oklahoma" monthly radio program. He is also an Emmy Award winner as host and consultant for the OETA (PBS) documentary film, "Tulsa Race Massacre: 100 Years Later."

Marton is associate dean of experiential learning, director of clinical programs, and a clinical professor of law at the University of Tulsa College of Law. She founded two clinics, the Solo Practice Clinic and the Buck Colbert Franklin Legal Clinic, at the college. The Franklin Legal Clinic discusses the legal actions related to the 1921 Tulsa Race Massacre to understand the ways in which the legal systems affect communities that the law school serves among other topics. Her areas of expertise include recognizing the impact of nonlegal issues on legal representations.

The event is free and open to the public. For more information, call (918) 631-2401

Panel Discusses Future Of Greenwood



(LEFT) "DEEP GREENWOOD: A COMMUNITY READ - THE FUTURE OF GREENWOOD" will hold its final series of presentations at the Rudisill Regional Library, 1520 N. Hartford Ave., on May 30. PHOTO PROVIDED. (RIGHT) VICTOR LUCKERSON, author of "Built from the Fire: The Epic Story of Tulsa's Greenwood District, America's Black Wall Street," is participating in a community discussion on the future of Greenwood at Rudisill Regional Library, 1520 N. Hartford Ave., on May 30. PHOTO PROVIDED.

Dr. Jerry Goodwin
The Oklahoma Eagle

Final Program In 'Deep Greenwood' Series

The last in a five-part series of community discussions on the history, current state, and the future of Greenwood presented by author Victor Luckerson is scheduled for the Rudisill Library, 1520 N. Hartford Ave., on May 30 at 6 p.m.

Luckerson is author of the award-winning "Built from the Fire: The Epic Story of Tulsa's Greenwood District, America's Black Wall Street." The book is a leading source of research about a tragic event, the 1921 Tulsa Race Massacre, that the nation recognized with a visit from Pres. Joe Biden in 2021. It chronicles a people's success and triumph over another's attempt to destroy individuals' livelihoods, dreams, and aspirations, and how a community still today is coming to terms with the devastation and rebirth of that community.

The author will be joined by a panel of distinguished local leaders: Angela Brown, educator in the Black History Saturdays program;

Dr. Tiffany Crutcher, founder and executive director of the Terence Crutcher Foundation; St. Rep. Regina Goodwin (Dist. 73); Cleo Harris, owner of Black Wall Street Tees and Souvenirs; Shayla Pickett, founder of P.O.I.S.E. Health and Wellness; and Kuma Roberts, president of the Black Wall Street Chamber of Commerce.

"One of the highlights of the Deep Greenwood series has been getting to share the stage with the people who have helped build this community's legacy - musicians, community organizers, and other journalists across generations," Luckerson said.

In addition to the panel discussion, attendees will be invited to record short video testimonials sharing their own hopes for the future of Greenwood. The recordings will be added to the archives of Rudisill and its collection of Greenwood history.

"Greenwood was more than the massacre that decimated it," said Larissa McNeil, coordinator for the African-American Resource Center for Tulsa City-County Library. "I'm excited for the community and even for myself to learn more about both the history and the future of Greenwood in a way that feels intentional and optimistic."

Luckerson, a journalist who has written for The New Yorker, The New York Times and

Smithsonian magazine, moved to Tulsa in 2019 to tell the story of Greenwood from the perspective of race massacre survivors and descendants. His book "Built from the Fire" brings to life more than 100 north Tulsa residents, past and present, and draws on thousands of primary-source documents from his archival research. In addition to spearheading the Deep Greenwood community read, he served as a Writer in Residence at the University of Tulsa during the 2023-2024 academic year.

"So, I'm really excited that this final event will be a chance for folks to hear from many people who are building Greenwood's future right now, in areas ranging from entrepreneurship to education to health care. I hope people walk away excited to get more involved with at least one new initiative or business that's sprung up here in recent years," said Luckerson.

The Deep Greenwood series is sponsored by the Oklahoma Center for the Humanities at the University of Tulsa, Oklahoma State University-Tulsa Library, and the Tulsa City-County Library. Additional sponsors include All Souls Unitarian Church, Fulton Street Books and Coffee, Historic Big 10 Ballroom, Magic City Books, North Tulsa Unity Book Club, Black Wall Street Times, and The Oklahoma Eagle.

For more information, contact (918) 549-7645.

Events

May

May 15-19

Mount Rose Baptist Church, 1137 N. MLK Blvd., will hold the First Pastor and Wife Anniversary for Pastor Kevin Williams and Lady Danielle Williams from May 15-19. The scheduled speakers are Rev. Larry Hooks, Gethsemane Baptist Church (May 15, 7 p.m.); Rev. Rex Woodfork, St. John Baptist Church (May 16, 7 p.m.); Dr. Rodney Goss, Morning Star Baptist Church (May 17, 7 p.m.); Dr. Eric Gill, Antioch Baptist Church (May 19, 11 a.m.); and Dr. Leroy Cole, Mt. Zion Baptist Church (May 19, 3 p.m.) For more information, call (918) 584-7522.

May 16-18

Black Wall Street Rally and Festival will feature speakers, live entertainment, history tours, vendors, and much more in the Greenwood Business District. For more information, contact www.blackwallstretrally.com.

May 16

Food on the Move OK will be hosting Community Food and Resource Festivals during May. The FOTMOK events are scheduled for May 16 (TCC Northeast Campus, 3727 E. Apache, 11:30 a.m. - 1:30 p.m.), May 21 (Chamberlain Park, 4940 N. Frankfort Ave., 5:30 p.m. - 7:30 p.m.), and May 28 (Northwest Tulsa HUB, 19 S. 49th W. Ave., 5:30 p.m. - 7:30 p.m.). For more information, visit www.foodon-themoveok.com.

May 18

Theatre North Tulsa will present "Stew" at the Tulsa Performing Arts Center, 110 E. 2nd St., May 18 (8 p.m.), 19 (3 p.m.), 25 (8 p.m.), and 26 (3 p.m.). According to Theatre North, the play, a 2021 Pulitzer Prize finalist, is "a compelling and heartfelt play by Zora Howard that explores the dynamics of three generations of African American women as they come together to prepare a family meal." The play is directed by Michelle Cullum. For more information, visit its social media pages. For ticket information, contact (918) 596-7111 or theater-northmw@hotmail.com

May 21

Food on the Move OK will be hosting Community Food and Resource Festivals during May. The FOTMOK events are scheduled for May 21 (Chamberlain Park, 4940 N. Frankfort Ave., 5:30 p.m. - 7:30 p.m.), and May 28 (Northwest Tulsa HUB, 19 S. 49th W. Ave., 5:30 p.m. - 7:30 p.m.). For more information, visit www.foodon-themoveok.com.

May 22 - Aug 14

Oasis Fresh Market, 1725 N. Peoria Ave., is sponsoring free breakfast and lunch for kids and teenagers under 18 years old from Mon.-Fri. during the summer. Breakfast will be served from 9 a.m. - 10 a.m. and lunch will be available from 12 p.m. - 2 p.m. Extracurricular activities will be offered to the kids and teenagers. For more information, call (918) 935-2092 or send an email to storemanager@oasisfreshmarket.net.

May 22

Authors Richard Rothstein and Leah Rothstein will lecture at the University of Tulsa College of Law, 3120 E. Fourth Pl., in the Price and Turpen Courtroom, 3 p.m. The authors will discuss their recent book, "Just Action: How to Challenge Segregation Enacted Under the Color of Law." TU Professors Mimi Marton and Quraysh Ali Lansana will lead a question-and-answer session after the lecture. The event is free and open to the public. The program, in commemoration of the 1921 Tulsa Race Massacre, is in partnership with the Greenwood Rising History Center.

May 25 - Jun 1

The 4th Annual Black Wall Street Legacy Festival 2024 will be held on Greenwood. Grammy Award-winning artist Anthony Hamilton will be the headliner entertainment on June 1. For more information, visit <https://www.blackwallstreetlegacyfest.com/>

May 25

Boley Rodeo is presenting its 121st annual rodeo, "Riding the Legacy, Embracing the Future" at 7 p.m. Other activities scheduled are an Alumni Walk of Honor (7 a.m.), Rhythm and Rides Car Show (9 a.m.), Parade (3 p.m.), and Concert (5 p.m. - 6:30 p.m.). For more information, contact (405) 471-7642 or (405) 471-7643.

May 25

Bob Dylan Center presents an evening with legendary Mavis Staples at Cain's Ballroom, 423 N. Main St., 8 p.m. According to NPR, Staples is considered "one of America's defining voices of freedom and peace." For more information, contact www.cains-ballroom.com.

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