

IN THE DISTRICT COURT IN AND FOR OKLAHOMA COUNTY
STATE OF OKLAHOMA, OKLA.

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.
APR 05 2007

STATE OF OKLAHOMA,

Plaintiff,

vs.

KENNETH BRENT RINEHART,
DOB 06/12/1964 ODL: 081042026, and

TIMOTHY POPE,
DOB 10/02/1957 ODL: 081861119,

Defendants.

PATRICIA PHESLEY, COURT CLERK
by _____ Deputy
Case No. _____ by _____ Deputy
APR 0 2007

CF-2007-2003

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INFORMATION

**FOR: CONSPIRACY AGAINST THE STATE, 21 O.S. 2001, § 424 [Count 1]
KNOWINGLY ACCEPTING A CONTRIBUTION TO A POLITICAL
CANDIDATE THROUGH AN INTERMEDIARY OR CONDUIT WITH
UNLAWFUL INTENT, 21 O.S. 2001, § 187.1 [Counts 2, 3, and 4];
MONEY LAUNDERING, 21 O.S. 2001, § 2001 [Counts 5 and 6];
PERJURY, 21 O.S. 2001, § 491 [Counts 7, 8, 9, 10, 11, 12].**

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF OKLAHOMA, COMES NOW **ROBERT L. HUDSON**, THE DULY ELECTED AND QUALIFIED DISTRICT ATTORNEY IN AND FOR DISTRICT NO. 9, STATE OF OKLAHOMA, SPECIAL PROSECUTOR HEREIN, AND ON HIS OFFICIAL OATH INFORMS THE DISTRICT COURT THAT:

**COUNT 1
FOR CONSPIRACY AGAINST THE STATE OF OKLAHOMA**

During a period commencing upon an unknown date in the year 2004, but including the 6th day of June, 2004, A.D., through an unknown date in the year 2004, but including the 25th day of October, 2004, A.D., the defendants, **KENNETH BRENT RINEHART** and **TIMOTHY POPE**, together with other persons named herein, did commit the crime of **CONSPIRACY AGAINST THE STATE OF OKLAHOMA**, in the county of Oklahoma County, State of Oklahoma. That is to say that within said period of time and within said County and State, defendant **KENNETH BRENT**

RINEHART was a candidate for the office of County Commissioner, District #2, Oklahoma County and defendant **TIMOTHY POPE** was defendant **RINEHART**'s paid campaign manager and political consultant. That at all times relevant herein, no person, including the person's immediate family, could directly or indirectly contribute money or in-kind services exceeding in the aggregate Five Thousand Dollars (\$5,000.00) to any candidate for any elective county office for Oklahoma County, Oklahoma. Also within said period of time and within said County and State, the Oklahoma Ethics Commission was an agency of the State of Oklahoma charged by law with registering the formation of candidate committees organized by candidates for political office, and also charged by law with the duty of registering political action committees. The Oklahoma Ethics Commission was also, then and there, charged by law with the duty of receiving periodic *Campaign Contribution and Expenditure Reports* from candidate committees and political action committees, and also charged by law with the duty of making said reports and the information reported therein available to the People of the State of Oklahoma. As a candidate for the aforesaid public office, the aforesaid defendant **RINEHART** had formed and registered with the Oklahoma Ethics Commission a certain candidate committee called "Exploratory Committee to Elect Brent Rinehart Commissioner Oklahoma County # 2" and had named himself both the Chairman and Designated Agent for said candidate committee thereby incurring an obligation created by law to provide truthful periodic *Campaign Contribution and Expenditure Reports* to the said Oklahoma Ethics Commission. That prior to the dates first stated above, Robert Larkin and Jerl Methvin had each knowingly made monetary contributions to **RINEHART**'s campaign totaling Five Thousand Dollars (\$5,000.00) and Walter Ray Pelfrey had knowingly made monetary and in-kind contributions to **RINEHART**'s campaign of at least Three Thousand, Nine Hundred Ninety Dollars and Fifty Cents (\$3,990.50), all of which was known by **RINEHART** and **POPE**. That is to further state that within said time

period and within said County and State, the aforesaid defendants **RINEHART** and **POPE** did combine, conspire and agree, one with the other and with others, to defraud the State of Oklahoma by impairing, obstructing and defeating a lawful function of the Oklahoma Ethics Commission's duty of receiving and making available truthful information regarding the receipt and expenditure of contributions benefitting **RINEHART**'s campaign for public office to the People of Oklahoma by soliciting and receiving additional contributions of money from the aforesaid Larkin, Methvin and Pelfrey that was given by said persons to benefit **RINEHART**'s campaign, OKRA-PAC serving only as a conduit or intermediary for the use of such additional contributions of funds, said additional contributions being in amounts that when received exceeded the aggregate contribution limit of Five Thousand Dollars (\$5,000.00) that any person could directly or indirectly contribute to **RINEHART**'s campaign, that said additional contributions by said persons being secreted in and disbursed from a bank account opened in the name of OKRA-PAC and used to purchase certain campaign literature and mailing services that were originally ordered by **RINEHART** but printed, performed, and paid for in the name of OKRA-PAC, said additional contributions not being reported to the Oklahoma Ethics Commission by **RINEHART**'s campaign as contributions of Larkin, Methvin and Pelfrey, and instead falsely reported by both **RINEHART**'s campaign and OKRA-PAC as only in-kind contributions of OKRA-PAC to **RINEHART**'s campaign thereby depriving the People of the true contributors and sources of funding of **RINEHART**'s campaign and thereby impairing, obstructing or defeating the lawful function of the Oklahoma Ethics Commission of providing accurate information regarding contributions and expenditures of the candidate's campaign to the People, and that pursuant to said unlawful agreement the following overt acts were committed:

1. On some date on or about June 7, 2004, **RINEHART** ordered the printing of a pamphlet called "*T-Bone Tribune*" from Hefton Operating Company and thereafter caused it to be attributed to OKRA-PAC instead of Rinehart's candidate committee;
2. On some date on or about June 7, 2004, **RINEHART** ordered the mailing of the *T-Bone Tribune* to be performed by a mailing service called Wolfe Mailing and Marketing Service, Inc.;
3. On or about July 2, 2004, **RINEHART** and **POPE** solicited and obtained a check from Robert Larkin payable in the amount of One Thousand Dollars (\$1,000.00) to OKRA-PAC;
4. On or about July 12, 2004, **RINEHART** and **POPE** obtained a check from Walter Ray Pelfrey payable in the amount of Two Thousand Dollars (\$2,000.00) to OKRA-PAC;
5. On or about July 12, 2004, **POPE** prepared and filed papers registering OKRA-PAC with the Oklahoma Ethics Commission as a political action committee;
6. On or about July 13, 2004, **POPE** opened a bank account at MidFirst Bank, N.A. in the name of OKRA-PAC and deposited Pelfrey's check for \$2,000.00 to the credit of said account;
7. On or about July 14, 2004, **POPE** deposited Larkin's \$1,000.00 check into the OKRA-PAC account at MidFirst Bank, N.A.;
8. On or about July 14, 2004, **POPE** issued OKRA-PAC check number 0001 payable to Wolfe Mailing and Marketing Service, Inc. in the amount of Two Thousand, Five Hundred Eighty-one Dollars and Fifty-Seven Cents (\$2,581.57);
9. On or about July 19, 2004, **RINEHART** filed a *Campaign Contribution and Expenditure Report* with the Oklahoma Ethics Commission in which he failed to report the aforesaid July 2004 contributions of Larkin and Pelfrey;
10. On or about July 21, 2004, **POPE** caused the mailing services regarding the *T-Bone Tribune*, previously ordered by **RINEHART** from Wolfe Mailing and Marketing Service, Inc., to

be re-billed to OKRA-PAC and delivered OKRA-PAC's check number 0001 to Wolfe Mailing and Marketing Service, Inc.;

11. On or about July 21, 2004, **RINEHART** filed an amended *Campaign Contribution and Expenditure Report* with the Oklahoma Ethics Commission in which he failed to report the aforesaid July 2004 contributions of Larkin and Pelfrey;

12. On or about July 23, 2004, **RINEHART** and **POPE** obtained a check from Jerl Methvin payable in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) to OKRA-PAC;

13. On or about July 26, 2004, **POPE** deposited Methvin's check into the OKRA-PAC MidFirst Bank account;

14. On or about August 16, 2005, **RINEHART** filed a *Campaign Contribution and Expenditure Report* with the Oklahoma Ethics Commission in which he failed to report the July 23, 2004 contribution of Two Thousand, Five Hundred Dollars (\$2,500.00) by Methvin and falsely reported the payment for the mailing job for the distribution of the *T-Bone Tribune* ordered from and performed by Wolfe Mailing and Marketing Service, Inc., as an in-kind contribution of OKRA-PAC, not as an indirect contribution of Larkin and Pelfrey;

15. On or about August 16, 2004, **POPE** personally prepared and caused to be filed with the Oklahoma Ethics Commission a *Campaign Contribution and Expenditure Report* in which the following things were falsely reported:

a. That on July 14, 2004, "Bob" Larkin had contributed Two Thousand Dollars (\$2,000.00) to OKRA-PAC,

b. That on July 14, 2004, "Ray" Pelfrey had contributed One Thousand Dollars (\$1,000.00) to OKRA-PAC,

c. That on July 26, 2004 Jerl Methvin made a contribution to OKRA-PAC,

d. That it failed to report as an in-kind transfer, the payment of Two Thousand, Five Hundred Eighty-one Dollars and Fifty-seven Cents (\$2,581.57) OKRA-PAC made using the funds of Larkin and Pelfrey for the mailing service originally ordered by **RINEHART** that was performed by Wolf Mailing and Marketing Service, Inc. regarding the printed brochure called *The T-Bone Tribune*;

16. On or about August 18, 2004, **POPE** issued check number 0002 payable to Hefton Operating Company in the amount of One Thousand, Seven Hundred Fifty-six Dollars and Fifty-one Cents (\$1,756.51) and delivered it in payment for the printing of the *T-Bone Tribune*;

17. On or about October 25, 2004, **RINEHART** filed a *Campaign Contribution and Expenditure Report* with the Oklahoma Ethics Commission in which he failed to report the payment for the printing of the *T-Bone Tribune* by Hefton Operating Company, L.L.C., when it should have been shown as an expense of the **RINEHART** campaign and/or an indirect contribution by Larkin, Pelfrey and Methvin;

18. On or about October 26, 2004, **POPE** personally prepared and caused to be filed with the Oklahoma Ethics Commission a *Campaign Contribution and Expenditure Report* in which it failed to report as an in-kind transfer, the payment of One Thousand, Seven Hundred Fifty-six Dollars and Fifty-one Cents (\$1,756.51) OKRA-PAC made using the funds of Larkin, Pelfrey and Methvin for the printed piece called the *T-Bone Tribune* that was printed by Hefton Operating Company upon an order placed by **RINEHART**.

All of the aforesaid being committed in Oklahoma County, Oklahoma, and contrary to the provisions of Section 424 of Title 21 of the Oklahoma Statutes and against the Peace and Dignity of the State of Oklahoma.

COUNT 2
FOR KNOWINGLY ACCEPTING A CONTRIBUTION TO A POLITICAL
CANDIDATE THROUGH AN INTERMEDIARY OR CONDUIT
WITH UNLAWFUL INTENT

On or about the 2nd day of July, 2004, A.D., the defendants, **KENNETH BRENT RINEHART** and **TIMOTHY POPE**, did commit within the county of Oklahoma County, State of Oklahoma, the crime of ***KNOWINGLY ACCEPTING A CONTRIBUTION TO A POLITICAL CANDIDATE THROUGH AN INTERMEDIARY OR CONDUIT WITH UNLAWFUL INTENT.*** That is to say that on and before said date, and within said County and State, the said **KENNETH BRENT RINEHART** was a candidate for the office of County Commissioner of Oklahoma County, District 2 and the aforesaid County office was within a county with a population in excess of Two Hundred Fifty Thousand (250,000) persons according to the latest Federal Decennial Census. That on and before said date, and within said County and State, the said defendant **TIMOTHY POPE** was a paid campaign manager and political consultant for defendant **RINEHART** and was also, subsequently, President of OKRA-PAC, a political action committee organized thereafter on July 12, 2004. That on and before the date first stated, a person named Robert Larkin was a maximum contributor to the political campaign of the said **RINEHART**, having previously made contributions thereto totaling at least Five Thousand Dollars (\$5,000.00), in good and lawful money of the United States of America, all of which was well known to defendants **RINEHART** and **POPE**. That on said date, and within said County and State, the defendants knowingly, intentionally, and unlawfully accepted an additional contribution from the aforesaid Larkin of One Thousand Dollars (\$1,000.00), good and lawful money of the United States of America for the benefit of defendant **RINEHART** as candidate, said contribution being made to and through said OKRA-PAC as an intermediary or conduit to the campaign of said defendant **RINEHART**, all the aforesaid being done with the

intention of evading the requirements of effective Rules of the Ethics Commission of Oklahoma and/or with the intention thereby of permitting Larkin to exceed the maximum campaign contribution limit of Five Thousand Dollars (\$5,000.00) applicable to said **RINEHART**'s political campaign, and all of the aforesaid being committed contrary to the provisions of Section 187.1 of Title 21 of the Oklahoma Statutes and against the Peace and Dignity of the State of Oklahoma.

COUNT 3
**FOR KNOWINGLY ACCEPTING A CONTRIBUTION TO A POLITICAL
CANDIDATE THROUGH AN INTERMEDIARY OR CONDUIT
WITH UNLAWFUL INTENT**

On or about the 12th day of July, 2004, A.D., the defendants, **KENNETH BRENT RINEHART** and **TIMOTHY POPE**, did commit within the county of Oklahoma County, State of Oklahoma, the crime of ***KNOWINGLY ACCEPTING A CONTRIBUTION TO A POLITICAL CANDIDATE THROUGH AN INTERMEDIARY OR CONDUIT WITH UNLAWFUL INTENT.*** That is to say that on and before said date, and within said County and State, the said defendant **KENNETH BRENT RINEHART** was a candidate for the office of County Commissioner of Oklahoma County, District 2 and the aforesaid County office was within a county with a population in excess of Two Hundred Fifty Thousand (250,000) persons according to the latest Federal Decennial Census. That on and before said date, and within said County and State, the said defendant **TIMOTHY POPE** was a paid campaign manager and political consultant for defendant **RINEHART** and was also President of OKRA-PAC, a political action committee organized that very day on July 12, 2004. That on and before the same date, a person named Walter Ray Pelfrey was a major contributor to the political campaign of the said **RINEHART**, having previously made contributions thereto totaling at least Three Thousand, Nine Hundred Ninety Dollars and Fifty Cents (\$3,990.50), in good and lawful money of the United States of America, all of which was well

known to defendants **RINEHART** and **POPE**. That on said date, and within said County and State, the defendants knowingly, intentionally, and unlawfully accepted an additional contribution from the aforesaid Pelfrey of Two Thousand Dollars (\$2,000.00), good and lawful money of the United States of America for the benefit of defendant **RINEHART** as candidate, said contribution being made to and through said OKRA-PAC as an intermediary or conduit to the campaign of said defendant **RINEHART**, all the aforesaid being done with the intention of evading the requirements of effective Rules of the Ethics Commission of Oklahoma and/or with the intention thereby of permitting Pelfrey to exceed the maximum campaign contribution limit of Five Thousand Dollars (\$5,000.00) applicable to said **RINEHART**'s political campaign, and all of the aforesaid being committed contrary to the provisions of Section 187.1 of Title 21 of the Oklahoma Statutes and against the Peace and Dignity of the State of Oklahoma.

COUNT 4
**FOR KNOWINGLY ACCEPTING A CONTRIBUTION TO A POLITICAL
CANDIDATE THROUGH AN INTERMEDIARY OR CONDUIT
WITH UNLAWFUL INTENT**

On or about the 23rd day of July, 2004, A.D., the defendants, **KENNETH BRENT RINEHART** and **TIMOTHY POPE**, did commit within the county of Oklahoma County, State of Oklahoma, the crime of **KNOWINGLY ACCEPTING A CONTRIBUTION TO A POLITICAL CANDIDATE THROUGH AN INTERMEDIARY OR CONDUIT WITH UNLAWFUL INTENT**. That is to say that on and before said date, and within said County and State, the said **KENNETH BRENT RINEHART** was a candidate for the office of County Commissioner of Oklahoma County, District 2 and the aforesaid County office was within a county with a population in excess of Two Hundred Fifty Thousand (250,000) persons according to the latest Federal Decennial Census. That on and before said date, and within said County and State, the said

defendant **TIMOTHY POPE** was a paid campaign manager and political consultant for defendant **RINEHART** and was also President of OKRA-PAC, a political action committee organized on July 12, 2004. That on and before the date first stated, a person named Jerl Methvin was a major contributor to the political campaign of the said **RINEHART**, having previously made contributions thereto totaling at least Four Thousand, Five Hundred Dollars (\$4,500.00), in good and lawful money of the United States of America, all of which was well known to defendants **RINEHART** and **POPE**. That on said date, and within said County and State, the defendants knowingly, intentionally, and unlawfully accepted an additional contribution from the aforesaid Methvin of Two Thousand, Five Hundred Dollars (\$2,500.00), good and lawful money of the United States of America for the benefit of defendant **RINEHART** as candidate, said contribution being made to and through said OKRA-PAC as an intermediary or conduit to the campaign of said defendant **RINEHART**, all the aforesaid being done with the intention of evading the requirements of effective Rules of the Ethics Commission of Oklahoma and/or with the intention thereby of permitting Methvin to exceed the maximum campaign contribution limit of Five Thousand Dollars (\$5,000.00) applicable to said **RINEHART**'s political campaign, and all of the aforesaid being committed contrary to the provisions of Section 187.1 of Title 21 of the Oklahoma Statutes and against the Peace and Dignity of the State of Oklahoma.

COUNT 5
FOR MONEY LAUNDERING

On or about the 14th day of July, 2004, A.D., the defendants, **KENNETH BRENT RINEHART** and **TIMOTHY POPE**, did commit within the county of Oklahoma County, State of Oklahoma, the crime of **MONEY LAUNDERING**. That is to say that on and before said date, and within said County and State, the said **KENNETH BRENT RINEHART** was a candidate for the

office of County Commissioner of Oklahoma County, District 2 and the aforesaid County office was within a county with a population in excess of Two Hundred Fifty Thousand (250,000) persons according to the latest Federal Decennial Census. That on and before said date, and within said County and State, the said defendant **TIMOTHY POPE** was a paid campaign manager and political consultant for defendant **RINEHART** and was also President of OKRA-PAC, a political action committee organized on July 12, 2004. That on or about the date first stated and within the aforesaid County and State, the defendants knowingly and intentionally conducted a financial transaction involving proceeds derived from a violation of the Oklahoma Statutes that was designed in whole or part to conceal or disguise the true source of the proceeds or to avoid campaign contribution reporting requirements of State law, *to-wit*: by using money previously acquired by them from Robert Larkin and Walter Ray Pelfrey that had been given by Larkin and Pelfrey to benefit the campaign of defendant **RINEHART**, said money having been previously acquired by them in violation of Oklahoma Statutes limiting campaign contributions to candidates for Public Office, said money having been previously deposited into a bank account at MidFirst Bank held by defendant **POPE** in the name of said OKRA-PAC, and by then and there using said unlawfully acquired proceeds to fund the payment of a check drawn upon said account to pay for mailing services provided to defendant **REINHART** by Wolf Mailing and Marketing Services, Inc. regarding a political mailing called the "*T-Bone Tribune*" valued in the amount of Two Thousand, Five Hundred Eighty-one Dollars and Fifty-seven Cents (\$2,581.57); all of the aforesaid being committed contrary to the provisions of Section 2001(D) of Title 21 of the Oklahoma Statutes and against the Peace and Dignity of the State of Oklahoma.

COUNT 6
FOR MONEY LAUNDERING

On or about the 18th day of August, 2004, A.D., the defendants, **KENNETH BRENT RINEHART** and **TIMOTHY POPE**, did commit within the county of Oklahoma County, State of Oklahoma, the crime of **MONEY LAUNDERING**. That is to say that on and before said date, and within said County and State, the said **KENNETH BRENT RINEHART** was a candidate for the office of County Commissioner of Oklahoma County, District 2 and the aforesaid County office was within a county with a population in excess of Two Hundred Fifty Thousand (250,000) persons according to the latest Federal Decennial Census. That on and before said date, and within said County and State, the said defendant **TIMOTHY POPE** was a paid campaign manager and political consultant for defendant **RINEHART** and was also President of OKRA-PAC, a political action committee organized on July 12, 2004. That on or about the date first stated and within the aforesaid County and State, the defendants knowingly and intentionally conducted a financial transaction involving proceeds derived from a violation of the Oklahoma Statutes that was designed in whole or part to conceal or disguise the true source of the proceeds or to avoid campaign contribution reporting requirements of State law, *to-wit*: by using money previously acquired by them from Robert Larkin, Walter Ray Pelfrey and Jerl Methvin that had been given by Larkin, Pelfrey and Methvin to benefit the campaign of defendant **RINEHART**, said money having been previously acquired by them in violation of Oklahoma Statutes limiting campaign contributions to candidates for Public Office, said money having been previously deposited into a bank account at MidFirst Bank held by defendant **POPE** in the name of said OKRA-PAC, and by then and there using said unlawfully acquired proceeds to fund the payment of a check drawn upon said account to pay for printing services provided to defendant **REINHART** by Hefton Operating Company, LLC.

regarding a pamphlet called the "*T-Bone Tribune*" valued in the amount of One Thousand, Seven Hundred Fifty-six Dollars and Fifty-one Cents (\$1,756.51); all of the aforesaid being committed contrary to the provisions of Section 2001(D) of Title 21 of the Oklahoma Statutes and against the Peace and Dignity of the State of Oklahoma.

COUNT 7
FOR PERJURY

On or about the 19th day of July, 2004, A.D., the defendant, **KENNETH BRENT RINEHART**, committed the crime of *PERJURY*, in Oklahoma County, State of Oklahoma. That is to say that prior to the aforesaid date and within said County and State, the said **KENNETH BRENT RINEHART** was a candidate for County Commissioner, District 2 in Oklahoma County, Oklahoma, and had previously registered his candidate committee with the Oklahoma Ethics Commission, an agency of the State of Oklahoma, pursuant to law, declaring under oath to said agency that he was both Chairman and Registered Agent of said candidate committee. That subsequent thereto, defendant **RINEHART** never designated any other person to serve as Designated Agent for his candidate committee. That as Chairman and Designated Agent for said candidate committee, defendant **RINEHART** was required by law to periodically file truthful Campaign Contributions and Expenditures Reports with the Oklahoma Ethics Commission reporting the receipt of all money and in-kind contributions to defendant **RINEHART'S** campaign committee and all expenditures of money by said candidate committee within said periods defined by law and to certify under oath to the correctness of said periodic reports. That on or about the date first stated and within said County and State, the defendant willfully, knowingly, fraudulently and feloniously made and subscribed to the following certification upon an Campaign Contributions and Expenditures Report for the reporting period commencing June 4, 2003 and ending July 12, 2004

that was then submitted by **RINEHART** to the Oklahoma Ethics Commission, an agency of the State of Oklahoma, *to-wit*:

“To the best of my knowledge and belief, the above is a true and correct compilation.”

knowing said statement was not true in the following particulars:

1. **RINEHART** knew that Jerl Methvin and Renita Methvin were husband and wife and lived at a residence located at 6400 Desiree, Norman, Oklahoma, but falsely reported that Jerl Methvin resided at 6300 Desiree, Norman, Oklahoma, while Renita Methvin resided at 6400 Desiree, Norman, Oklahoma, due to the fact that **RINEHART** also over-reported a contribution to defendant’s campaign by Jerl Methvin on 01/07/2004 as Two Thousand, Five Hundred Dollars (\$2,500.00) instead of Two Thousand Dollars (\$2,000.00) actually contributed by Methvin that date.

2. **RINEHART** knew he personally solicited and obtained a contribution of One Thousand Dollars (\$1,000.00) from Robert Larkin to be used for his campaign’s benefit on July 2, 2004 after having previously received contributions totaling Five Thousand Dollars (\$5,000.00) from Larkin, but did not report Larkin’s contribution benefitting **RINEHART**’s campaign, thereby understating Larkin’s contributions during the reporting period by One Thousand Dollars (\$1,000.00) and also understating the total contributions collected by **RINEHART**’s campaign for that period by said amount.

3. **RINEHART** knew he personally solicited and obtained in-kind contributions on June 10, 2004, from Walter Ray Pelfrey in which Pelfrey directly paid Two Thousand, Nine Hundred Ninety Dollars and Fifty Cents (\$2,990.50) for three (3) printing jobs ordered by defendant for his campaign from Oklahoma Executive Printing, but **RINEHART** only reported in-kind contributions by Pelfrey for the period totaling Two Thousand, Two Hundred Eighty-two Dollars and Fifty Cents (\$2,282.50), thereby under-reporting Pelfrey’s in-kind contributions by Seven Hundred and Eight

Dollars (\$708.00) and also understating the total contributions collected by **RINEHART's** campaign for that period by said amount..

4. **RINEHART** knew he had personally solicited and obtained a campaign contribution of Two Thousand Dollars (\$2,000.00) from Walter Ray Pelfrey given to benefit his campaign on July 12, 2004 after having previously received money and in-kind contributions from Pelfrey totaling Three Thousand, Nine Hundred Ninety Dollars and Fifty Cents (\$3,990.50), but only reported contributions from Pelfrey in the amount of Three Thousand, Two Hundred Eighty-two Dollars and Fifty Cents (\$3,282.50) instead of Five Thousand, Nine Hundred Ninety Dollars and Fifty Cents (\$5,990.50), thereby under-reporting total Pelfrey's contributions benefitting **RINEHART's** campaign during the reporting period by Two Thousand, Seven Hundred Eight Dollars (\$2,708.00) and also understating the total contributions collected by **RINEHART's** campaign for that period by said amount.

5. **RINEHART** knew that on or about December 18, 2003, **POPE** had paid Six Hundred Forty-two Dollars (\$642.00) to Oklahoma Executive Printing as partial payment for campaign letterhead and envelopes invoiced to **RINEHART's** campaign the same date, but did not report this contribution.

All the aforesaid being committed contrary to the provisions of Sections 491 and 500 of Title 21 of the Oklahoma Statutes and against the Peace and Dignity of the State of Oklahoma.

COUNT 8
FOR PERJURY

On or about the 21st day of July, 2004, A.D., the defendant, **KENNETH BRENT RINEHART**, committed the crime of **PERJURY**, in Oklahoma County, State of Oklahoma. That is to say that prior to the aforesaid date and within said County and State, the said **KENNETH**

BRENT RINEHART was a candidate for County Commissioner, District 2 in Oklahoma County, Oklahoma, and had previously registered his candidate committee with the Oklahoma Ethics Commission, an agency of the State of Oklahoma, pursuant to law, declaring under oath to said agency that he was both Chairman and Registered Agent of said candidate committee. That subsequent thereto, defendant **RINEHART** never designated any other person to serve as Designated Agent for his candidate committee. That as Chairman and Designated Agent for said candidate committee, defendant **RINEHART** was required by law to periodically file truthful Campaign Contributions and Expenditures Reports with the Oklahoma Ethics Commission reporting the receipt of all money and in-kind contributions to defendant **RINEHART'S** campaign committee and all expenditures of money by said candidate committee within said periods defined by law and to certify under oath to the correctness of said periodic reports. That on or about the date first stated and within said County and State, the defendant willfully, knowingly, fraudulently and feloniously made and subscribed to the following certification upon another Campaign Contributions and Expenditures Report for the reporting period commencing June 4, 2003 and ending July 12, 2004 that was then submitted by **RINEHART** to the Oklahoma Ethics Commission, an agency of the State of Oklahoma, *to-wit*:

“To the best of my knowledge and belief, the above is a true and correct compilation.”

knowing said statement was not true in the following particulars:

1. **RINEHART** knew he personally solicited and obtained a contribution of One Thousand Dollars (\$1,000.00) from Robert Larkin to be used for his campaign's benefit on July 2, 2004 after having previously received contributions totaling Five Thousand Dollars (\$5,000.00) from Larkin, but did not report Larkin's contribution benefitting **RINEHART'S** campaign, thereby understating Larkin's contributions during the reporting period by One Thousand Dollars (\$1,000.00) and also

understating the total contributions collected by **RINEHART**'s campaign for that period by said amount.

2. **RINEHART** knew he personally solicited and obtained in-kind contributions on June 10, 2004, from Walter Ray Pelfrey in which Pelfrey directly paid Two Thousand, Nine Hundred Ninety Dollars and Fifty Cents (\$2,990.50) for three (3) printing jobs ordered by defendant for his campaign from Oklahoma Executive Printing, but **RINEHART** only reported in-kind contributions by Pelfrey for the period totaling Two Thousand, Two Hundred Eighty-two Dollars and Fifty Cents (\$2,282.50), thereby under-reporting Pelfrey's in-kind contributions by Seven Hundred and Eight Dollars (\$708.00) and also understating the total contributions collected by **RINEHART**'s campaign for that period by said amount..

3. **RINEHART** knew he had personally solicited and obtained a campaign contribution of Two Thousand Dollars (\$2,000.00) from Walter Ray Pelfrey given to benefit his campaign on July 12, 2004 after having previously received money and in-kind contributions from Pelfrey totaling Three Thousand, Nine Hundred Ninety Dollars and Fifty Cents (\$3,990.50), but only reported contributions from Pelfrey in the amount of Three Thousand, Two Hundred Eighty-two Dollars and Fifty Cents (\$3,282.50) instead of Five Thousand, Nine Hundred Ninety Dollars and Fifty Cents (\$5,990.50), thereby under-reporting total Pelfrey's contributions benefitting **RINEHART**'s campaign during the reporting period by Two Thousand, Seven Hundred Eight Dollars (\$2,708.00) and also understating the total contributions collected by **RINEHART**'s campaign for that period by said amount.

4. **RINEHART** knew that on or about December 18, 2003, **POPE** had paid Six Hundred Forty-two Dollars (\$642.00) to Oklahoma Executive Printing as partial payment for campaign

letterhead and envelopes invoiced to **RINEHART**'s campaign the same date, but did not report this contribution.

All the aforesaid being committed contrary to the provisions of Sections 491 and 500 of Title 21 of the Oklahoma Statutes and against the Peace and Dignity of the State of Oklahoma.

COUNT 9
FOR PERJURY

On or about the 16th day of August, 2004, A.D., the defendant, **KENNETH BRENT RINEHART**, committed the crime of *PERJURY*, in Oklahoma County, State of Oklahoma. That is to say that prior to the aforesaid date and within said County and State, the said **KENNETH BRENT RINEHART** was a candidate for County Commissioner, District 2 in Oklahoma County, Oklahoma, and had previously registered his candidate committee with the Oklahoma Ethics Commission, an agency of the State of Oklahoma, pursuant to law, declaring under oath to said agency that he was both Chairman and Registered Agent of said candidate committee. That subsequent thereto, defendant **RINEHART** never designated any other person to serve as Designated Agent for his candidate committee. That as Chairman and Designated Agent for said candidate committee, defendant **RINEHART** was required by law to periodically file truthful Campaign Contributions and Expenditures Reports with the Oklahoma Ethics Commission reporting the receipt of all money and in-kind contributions to defendant **RINEHART'S** campaign committee and all expenditures of money by said candidate committee within said periods defined by law and to certify under oath to the correctness of said periodic reports. That on or about the date first stated and within said County and State, the defendant willfully, knowingly, fraudulently and feloniously made and subscribed to the following certification upon an Campaign Contributions and Expenditures Report for the reporting period commencing July 13, 2004 and ending August 9, 2004

that was then submitted by **RINEHART** to the Oklahoma Ethics Commission, an agency of the State of Oklahoma, *to-wit*:

“To the best of my knowledge and belief, the above is a true and correct compilation.”

knowing said statement was not true in the following particulars:

1. **RINEHART** knew that on July 23, 2004 he personally solicited and obtained a contribution of Two Thousand, Five Hundred Dollars (\$2,500.00) from Jerl Methvin to be used for his campaign’s benefit after having previously received contributions totaling at least Four Thousand Dollars (\$4,500.00) from Methvin, but did not report Methvin’s contribution benefitting **RINEHART**’s campaign, thereby also understating in the report the amount of total contributions he had collected in the stated period and during the course of his campaign.

2. **RINEHART** knew that a mass mailing job performed by Wolfe Mailing and Marketing Service, Inc., paid for by OKRA-PAC on or about July 14, 2004 in the amount of Two Thousand, Five Hundred Eighty-one Dollars and Fifty-seven Cents (\$2,581.57), was actually personally ordered by **RINEHART** and then later funded with proceeds from contributions to benefit **RINEHART**’s campaign he had previously personally solicited and obtained from Robert Larkin and Walter Ray Pelfrey, that OKRA-PAC was only an intermediary or conduit for Larkin’s and Pelfrey’s contributions, that the mass mailing should have been reported as an expense of his campaign, and that **RINEHART** reported the payment by OKRA-PAC as an in-kind contribution to his campaign rather than a campaign expense with the intent of avoiding or obstructing the ascertainment of the truth regarding the identity of the true source of the funds used in that transaction and the true identity of the proponent of the political mailing.

All the aforesaid being committed contrary to the provisions of Sections 491 and 500 of Title 21 of the Oklahoma Statutes and against the Peace and Dignity of the State of Oklahoma.

COUNT 10
FOR PERJURY

On or about the 25th day of October, 2004, A.D., the defendant, **KENNETH BRENT RINEHART**, committed the crime of **PERJURY**, in Oklahoma County, State of Oklahoma. That is to say that prior to the aforesaid date and within said County and State, the said **KENNETH BRENT RINEHART** was a candidate for County Commissioner, District 2 in Oklahoma County, Oklahoma, and had previously registered his candidate committee with the Oklahoma Ethics Commission, an agency of the State of Oklahoma, pursuant to law, declaring under oath to said agency that he was both Chairman and Registered Agent of said candidate committee. That subsequent thereto, defendant **RINEHART** never designated any other person to serve as Designated Agent for his candidate committee. That as Chairman and Designated Agent for said candidate committee, defendant **RINEHART** was required by law to periodically file truthful Campaign Contributions and Expenditures Reports with the Oklahoma Ethics Commission reporting the receipt of all money and in-kind contributions to defendant **RINEHART'S** campaign committee and all expenditures of money by said candidate committee within said periods defined by law and to certify under oath to the correctness of said periodic reports. That on or about the date first stated and within said County and State, the defendant willfully, knowingly, fraudulently and feloniously made and subscribed to the following certification upon an Campaign Contributions and Expenditures Report for the reporting period commencing August 10, 2004 and ending October 18, 2004 that was then submitted by **RINEHART** to the Oklahoma Ethics Commission, an agency of the State of Oklahoma, *to-wit*:

“To the best of my knowledge and belief, the above is a true and correct compilation.”

knowing said statement was not true in the following particulars:

1. **RINEHART** knew that a printing job paid for by OKRA-PAC on August 18, 2004 in the amount of One Thousand, Seven Hundred Eighty-one Dollars and Fifty-seven Cents (\$1,756.51) by Hefton Operating Company was personally ordered by **RINEHART** and later actually funded with proceeds from contributions to benefit **RINEHART**'s campaign he had previously personally solicited and obtained from Robert Larkin, Walter Ray Pelfrey and Jerl Methvin, and that OKRA-PAC was only an intermediary or conduit for Larkin's, Pelfrey's and Methvin's contributions, and that **RINEHART** failed to report the payment for this printing as an expense of his campaign with the intent of avoiding or obstructing the ascertainment of the truth regarding the true source of the funds used in that transaction and the true identity of the proponent of the printed matter. All the aforesaid being committed contrary to the provisions of Sections 491 and 500 of Title 21 of the Oklahoma Statutes and against the Peace and Dignity of the State of Oklahoma.

COUNT 11
FOR PERJURY

On or about the 21st day of September, 2006, A.D., the defendant, **TIM POPE**, committed the crime of **PERJURY**, in Oklahoma County, State of Oklahoma. That is to say that prior to the aforesaid date and within said County and State, Kenneth Brent Rinehart was a candidate for County Commissioner, District 2, in Oklahoma County, Oklahoma for an election held in November 2004 in which defendant **POPE** served as Rinehart's paid campaign manager and political consultant. Also prior to the aforesaid date and within said County and State, on July 12, 2004, the defendant, **TIM POPE**, had caused a political action committee that he named OKRA-PAC to be formed and registered pursuant to law with the Oklahoma Ethics Commission, an agency of the State of Oklahoma, in which it was declared that **POPE** was "Chair" of said political action committee and that the official depository for the political action committee would be at MidFirst Bank, 835 E.

Highway 152, Mustang, Oklahoma. Also prior thereto, on July 12, 2004, defendant **POPE** personally opened a checking account in the name of OKRA-PAC at the aforesaid bank and directed the said bank to provide all customer records to **POPE'S** personal address in Mustang, Oklahoma. That the said political action committee was required by law to periodically file truthful Campaign Contributions and Expenditures Reports with the Oklahoma Ethics Commission reporting the receipt of all money and in-kind contributions and all expenditures of money by said political action committee within periods defined by law. That during the course of Rinehart's aforesaid 2004 political campaign, defendant **POPE** kept possession of all financial records regarding the receipt and expenditure of money by OKRA-PAC and also completed and transmitted OKRA-PAC's periodic Campaign Contribution and Expenditure Reports to Jason Jacobs, the person registered with the said Oklahoma Ethics Commission as OKRA-PAC's Treasurer, for Jacobs' signature, which reports were then returned by Jacobs to **POPE** for filing with the Oklahoma Ethics Commission. That on or about January 31, 2005, **POPE** was formally designated Deputy Treasurer and custodian of records of OKRA-PAC in addition to being "Chair" in a Statement of Organization filed with the said Oklahoma Ethics Commission. That on or about the date first stated and within said County and State, the defendant willfully, knowingly, fraudulently and feloniously made and subscribed to the following certification upon an amended Campaign Contributions and Expenditures Report for the reporting period commencing July 13, 2004 and ending August 9, 2004 that was then submitted to the Oklahoma Ethics Commission, *to-wit*:

"To the best of my knowledge and belief, the above is a true and correct compilation."

knowing said statement was not true in the following particulars:

1. **POPE** knew that Schedule A to the Campaign Contribution and Expenditure Report showing a reported contribution by check issued by Bob Larkin, 7023 S.E. 15th, Midwest City,

Oklahoma, reportedly accepted on July 14, 2004 in the amount of Two Thousand Dollars (\$2,000.00), was false since he knew, in truth and fact, Larkin's check was issued in the amount of One Thousand Dollars (\$1,000.00) and was dated and accepted on July 2, 2004.

2. **POPE** knew that Schedule A to the Campaign Contribution and Expenditure Report showing a reported contribution by check issued by Ray Pelfrey, 3280 Del Mar, Del City, Oklahoma, reportedly accepted on July 14, 2004 in the amount of One Thousand Dollars (\$1,000.00), was false since he knew, in truth and fact, Pelfrey's check was issued in the amount of Two Thousand Dollars (\$2,000.00) and was dated and accepted on July 12, 2004.

3. **POPE** knew that Schedule A to the Campaign Contribution and Expenditure Report showing a reported contribution by check issued by Jerl Methvin, 6300 Desiree, Norman, Oklahoma, reportedly accepted on July 26, 2004 in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) was false since he knew, in truth and fact, Methvin's address was 6400 Desiree, Norman, Oklahoma, the same address as Methvin's wife, Renita Methvin, that the couple had previously contributed at least Four Thousand Five Hundred Dollars (\$5,000.00) directly to **RINEHART**'s campaign, and that Methvin's check was dated and accepted on July 23, 2004.

4. **POPE** knew that a mass mailing job performed by Wolfe Mailing and Marketing Service, Inc., paid for by OKRA-PAC on or about July 14, 2004 in the amount of Two Thousand, Five Hundred Eighty-one Dollars and Fifty-seven Cents (\$2,581.57), was actually personally ordered by Rinehart and then later funded with proceeds from contributions to benefit Rinehart's campaign Rinehart and **POPE** had previously personally solicited and obtained from Robert Larkin and Walter Ray Pelfrey, that OKRA-PAC was only an intermediary or conduit for Larkin's and Pelfrey's contributions, that the mass mailing should have been reported as an expense of Rinehart's campaign, and that Schedule H of OKRA-PAC's report, showing the payment of such mailing

expenses as an in-kind contribution to Rinehart's campaign rather than a Rinehart's campaign expense was made by **POPE** with the intent of avoiding or obstructing the ascertainment of the truth regarding the identity of the true source of the funds used in that transaction and the true identity of the proponent of the political mailing.

All the aforesaid being committed contrary to the provisions of Sections 491 and 500 of Title 21 of the Oklahoma Statutes and against the Peace and Dignity of the State of Oklahoma.

COUNT 12
FOR PERJURY

On or about the 21st day of September, 2006, A.D., the defendant, **TIM POPE**, committed the crime of **PERJURY**, in Oklahoma County, State of Oklahoma. That is to say that prior to the aforesaid date and within said County and State, Kenneth Brent Rinehart was a candidate for County Commissioner, District 2, in Oklahoma County, Oklahoma for an election held in November 2004 in which defendant **POPE** served as Rinehart's paid campaign manager and political consultant. Also prior to the aforesaid date and within said County and State, on July 12, 2004, the defendant, **TIM POPE**, had caused a political action committee that he named OKRA-PAC to be formed and registered pursuant to law with the Oklahoma Ethics Commission, an agency of the State of Oklahoma, in which it was declared that **POPE** was "Chair" of said political action committee and that the official depository for the political action committee would be at MidFirst Bank, 835 E. Highway 152, Mustang, Oklahoma. Also prior thereto, on July 12, 2004, defendant **POPE** personally opened a checking account in the name of OKRA-PAC at the aforesaid bank and directed the said bank to provide all customer records to **POPE'S** personal address in Mustang, Oklahoma. That the said political action committee was required by law to periodically file truthful Campaign Contributions and Expenditures Reports with the Oklahoma Ethics Commission reporting the receipt

of all money and in-kind contributions and all expenditures of money by said political action committee within periods defined by law. That during the course of Rinehart's aforesaid 2004 political campaign, defendant **POPE** kept possession of all financial records regarding the receipt and expenditure of money by OKRA-PAC and also completed and transmitted OKRA-PAC's periodic Campaign Contribution and Expenditure Reports to Jason Jacobs, the person registered with the said Oklahoma Ethics Commission as OKRA-PAC's Treasurer, for Jacobs' signature, which reports were then returned by Jacobs to **POPE** for filing with the Oklahoma Ethics Commission. That on or about January 31, 2005, **POPE** was formally designated Deputy Treasurer and custodian of records of OKRA-PAC in addition to being "Chair" in a Statement of Organization filed with the said Oklahoma Ethics Commission. That on or about the date first stated and within said County and State, the defendant willfully, knowingly, fraudulently and feloniously made and subscribed to the following certification upon an amended Campaign Contributions and Expenditures Report for the reporting period commencing August 10, 2004 and ending October 18, 2004 that was then submitted to the Oklahoma Ethics Commission, *to-wit*:

"To the best of my knowledge and belief, the above is a true and correct compilation."

knowing said statement was not true in the following particulars:

1. **POPE** knew that a printing job paid for by OKRA-PAC on August 18, 2004 in the amount of One Thousand, Seven Hundred Fifty-six Dollars and Fifty-one Cents (\$1,756.51) by Hefton Operating Company was personally ordered by Rinehart and later actually funded with proceeds from contributions to benefit Rinehart's campaign Rinehart and **POPE** had previously personally solicited and obtained from Robert Larkin, Walter Ray Pelfrey and Jerl Methvin, and that OKRA-PAC was only an intermediary or conduit for Larkin's, Pelfrey's and Methvin's contributions, and that Schedule H of OKRA-PAC's report, showing the payment of such printing

Penalties:

CONSPIRACY AGAINST THE STATE, 21 O.S. 2001, § 424: Imprisonment in the State Penitentiary for not more than ten (10) years and/or a fine not to exceed Twenty-five Thousand Dollars (\$25,000.00)

KNOWINGLY ACCEPTING A CONTRIBUTION TO A POLITICAL CANDIDATE THROUGH AN INTERMEDIARY OR CONDUIT WITH UNLAWFUL INTENT, 21 O.S. 2001, §178.1: Imprisonment in the county jail not exceeding one (1) year, and/or by a fine not to exceed three (3) times the amount contributed in excess of the contribution limit, or One Thousand Dollars (\$1,000.00), whichever is greater.

MONEY LAUNDERING, 21 O.S. 2001, § 2001: Imprisonment in the State Penitentiary for not less than two (2) but not more than ten (10) years and/or a fine not to exceed Fifty Thousand Dollars (\$50,000.00).

PERJURY, 21 O.S. 2001, § 491: Imprisonment in the State Penitentiary for not more than five (5) years, and a fine not to exceed Ten Thousand Dollars (\$10,000.00), 21 O.S. 2001, § 64(B).

WITNESSES:

Jerry Cusic, Special Agent, Oklahoma State Bureau of Investigation, 6600 North Harvey, Oklahoma City, OK 73116

Honorable Doug Sanderson, Secretary, Oklahoma County Election Board, 4201 North Lincoln Blvd., Oklahoma City, OK 73105

Marilyn Hughes, Executive Director, Oklahoma Ethics Commission, 2300 Lincoln Blvd., Room B-5, Oklahoma City, Oklahoma 73105

Custodian of Business Records, First National Bank of Midwest City, 2911 S. Air Depot Blvd., Midwest City, Oklahoma 73110

Custodian of Business Records, BancFirst, Attention: Brian Pierson, Main and Broadway, Oklahoma City, Oklahoma 73102

Custodian of Business Records, First Fidelity Bank, Attention: Lisa Williams, 5101 N. Classen Blvd., Suite 500, Oklahoma City, Oklahoma 73118

Custodian of Business Records, MidFirst Bank, Attention: Lisa Brown, 501 N.W. Grand Blvd., Oklahoma City, Oklahoma 73118

Lori Nowlin, ITEX Inc., 2520 N.W. 39th Expressway, Oklahoma City, OK

Nick Scott Kakish, Oklahoma Executive Printing, 1017 South Meridian, Oklahoma City, OK 73108

Jeanne Jay Stewart, Wolfe Mailing and Marketing Services, 3905 NW 36th Street., Oklahoma City, OK 73142

Richard R. Hefton, Hefton Operating Company, LLC., 6608 North Western Ave, #402, Oklahoma City, OK

Jason F. Jacobs, 1414 NW 150th, Edmond, OK

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

STATE OF OKLAHOMA,)
)
Plaintiff,)
)
vs.)
)
KENNETH BRENT RINEHART,)
DOB 06/12/1964 ODL: 081042026, and)
)
TIMOTHY POPE,)
DOB 10/02/1957 ODL: 081861119,)
)
Defendants.)

Case No.

CF-2007-2003

AFFIDAVIT

The undersigned upon oath deposes and states as follows, to-wit:

1. I am an Agent with the Oklahoma State Bureau of Investigation, State of Oklahoma, and have been employed with the OSBI since November 3, 1998. Previously I served approximately 9 years in municipal law enforcement in both uniformed patrol and non-uniformed investigative work. In the course of my law enforcement career I have conducted numerous criminal investigations, I am aware of what probable cause is, and probable cause is required to request an arrest warrant.
2. On February 23, 2006, Oklahoma County District Attorney WESLEY LANE requested OSBI investigative assistance in a case violations of Oklahoma Law, specifically allegations BRENT RINEHART violated Oklahoma Campaign Law by collecting ear-marked money (Money through an intermediary or conduit). I was assigned as the case agent for Oklahoma State Bureau of Investigation.
3. During the investigations Interviews were performed and documents collected. The investigation covered a period commencing upon an unknown date in the year 2003, but including the 6th day of June, 2004, including the 25th day of October, 2004.
4. In 2003 and 2004, Kenneth Brent RINEHART was a candidate for the office of County Commissioner of Oklahoma County, District 2, that the previously mentioned County office was within a county with a population in excess of Two Hundred Fifty Thousand (250,000) persons according to the latest Federal Decennial Census.

5. TIMOTHY POPE worked for RINEHART' as a paid campaign manager and political consultant and President of OKRA-PAC, a political action committee organized thereafter on July 12, 2004 as shown by bank records and invoices subpoena from RINEHART and by admission from RINEHART to CUSIC.
6. During RINEHART'S campaign at all times relevant herein, no person, including the person's immediate family, could directly or indirectly contribute money or in-kind services exceeding Five Thousand Dollars (\$5,000.00) to any candidate for any elective office for Oklahoma County, Oklahoma (21 O.S. 2001, § 187.1.)
7. Within said County and State, the State Ethics Commission was an agency of the State of Oklahoma charged by law with registering the formation of candidate committees organized by candidates for political office, and also charged by law with the duty to register political action committees.
8. The Ethics Commission was created by Article 29, § 1 of the Oklahoma Constitution and has promulgated regulations regulating campaign contributions in rules found at 74 O.S., Ch. 62, *Appendix*, §§ 257: 10-1-1 *et seq.* The Legislature has created rules specifically applicable to reporting campaign contributions in County elections at 51 O.S. 2001, §§ 301 *et seq.* The Ethics Commission has authority over campaign contributions in County elections by virtue of 51 O.S. 2001, § 303.
9. As a candidate for the aforesaid public office, RINEHART had formed and registered with the State Ethics Commission a certain candidate committee called "Exploratory Committee to Elect Brent RINEHART Commissioner Oklahoma County # 2" and had named himself both the Chairman and Designated Agent for said candidate committee thereby incurring an obligation created by law to provide truthful periodic Campaign Contribution and Expenditure Reports to the said State Ethics Commission,(51 O.S. 2001, §§ 310 & 311.)
10. Information obtained from NICK SCOTT KAKISH I learned on or about December 18, 2003, RINEHART ordered printing for the RINEHART campaign from Oklahoma Executive Printing in the total amount of One thousand Six Hundred Fifty Three Dollars And Four Cents (\$1,653.04) and Six Hundred Forty Two Dollars And Forty Cents (\$642.40) was paid with a check styled TIM POPE, SPECIAL ACCOUNT. RINEHART failed to report the contributions and in so doing filed a false affidavit with the State Ethics Commission.
11. While a candidate for said office RINEHART within and during the campaign, RINEHART knowingly made accepted contributions to RINEHART'S campaign totaling or exceeding Five Thousand Dollars (\$5,000.00) from LARKIN and the money was deposited in an account or accounts under the exclusive control of RINEHART and RINEHART knowingly solicited from LARKIN contribution to be used by OKRA-PAC on and for RINEHART'S campaign.

12. Prior to July 23, 2004, JERL METHVIN and/or RENITA METHVIN, husband and wife had each knowingly made monetary contributions or in kind support to RINEHART'S campaign totaling or exceeding four thousand five hundred Dollars (\$4,500.00) and all of which was known by RINEHART and POPE, and that RINEHART and POPE together solicited additional contributions from JERL METHVIN and the monies obtained were deposited into an account designed to hide and benefit the campaign of defendant RINEHART into a bank account at MidFirst Bank held by defendant POPE in the name of said OKRA-PAC.
13. WALTER RAY PELFREY admitted he made monetary and in-kind contributions to RINEHART'S campaign of at least Three Thousand, Nine Hundred Ninety Dollars and Fifty Cents (\$3,990.50), all of which was known by RINEHART and POPE.
14. From bank records and affidavits filed with the Oklahoma State Ethics commission RINEHART and POPE knew the individual contributions of METHVIN, LARKIN and PELFREY, equaled or exceeded Five Thousand Dollars (\$5,000.00); Investigation and interviews show each, did combine, conspire and agree, one with the other and with others to solicit money additional money as described in the following a,b,c:
 - a) The defendants unlawfully accepted an additional contribution from the previously mentioned LARKIN of one thousand (\$1000.00) dollars good and lawful money of the United States of America for the benefit of RINEHART and POPE. That said contribution was collected by or on behalf RINEHART and given to POPE and deposited it to and through said OKRA-PAC as an intermediary or conduit of the campaign.
 - b) The defendants unlawfully accepted an additional contribution from the previously mentioned METHVIN of Twenty Five hundred (\$2,500.00) dollars good and lawful money of the United States of America for the benefit of RINEHART and POPE. That said contribution was collected by or on behalf RINEHART and given to POPE and deposited it to and through said OKRA-PAC as an intermediary or conduit of the campaign.
 - c) The defendants unlawfully accepted an additional contribution from the previously mentioned PELFREY of two thousand (\$2,000.00) dollars good and lawful money of the United States of America for the benefit of RINEHART and POPE. That said contribution was collected by on behalf RINEHART through POPE and deposited to and through said OKRA-PAC as an intermediary or conduit of the campaign.
15. That within said time period and within said County and State, RINEHART and POPE defrauded the State of Oklahoma by impairing, obstructing and defeating a lawful function of the State Ethics Commission's duty of receiving and making

available truthful information regarding the receipt and expenditure of contributions benefiting RINEHART'S campaign for public office as shown in paragraphs 16 and 17.

16. That by soliciting and receiving additional contributions of money from the aforesaid LARKIN, METHVIN and PELFREY and given by said persons to benefit RINEHART'S campaign, the additional contributions exceeded the aggregate contribution limit of Five Thousand Dollars (\$5,000.00) that any person could directly or indirectly contribute to RINEHART'S campaign.
17. That the additional contributions by said persons were secreted in and disbursed from a bank account opened in the name of OKRA-PAC and used to purchase campaign literature and mailing services that were originally ordered by RINEHART but printed and paid for in the name of OKRA-PAC and In statements made to CUSIC, by PELFREY, METHVIN and LARKIN each admitted the additional monies were provided to support RINEHART and RINEHART'S campaign.
18. Based upon financial records, business records, and relevant campaign contribution and expenditure reports gathered by me, together with information gathered in interviews with PELFREY, LARKIN, METHVIN and others, I have found that the additional contributions by PELFREY, LARKIN and METHVIN to benefit RINEHART'S campaign were not reported by RINEHART to the Ethics Commission as contributions to RINEHART'S campaign but instead, by apparent agreement between RINEHART and POPE, POPE prepared OKRA-PAC's reports to show that the contributions were to OKRA-PAC and that disbursements of money from these funds to pay for services ordered by RINEHART were reported as "in-kind" contributions of OKRA-PAC to RINEHART'S campaign instead of expenditures of RINEHART'S campaign as shown below in paragraphs 19-32.
19. On some date in or about June 7, 2004, RINEHART ordered the printing of a pamphlet called "T-Bone Tribune" from HEFTON Operating Company and thereafter caused it to be attributed to OKRA-PAC instead of RINEHART'S candidate committee;
20. On some date on or about June 7, 2004, RINEHART ordered the mailing of the T-Bone Tribune to be performed by a mailing service called Wolfe Mailing and Marketing Service, Inc.;
21. On or about July 2, 2004, RINEHART and POPE solicited and obtained a check from ROBERT LARKIN payable in the amount of One Thousand Dollars (\$1,000.00) to OKRA-PAC;
22. On or about July 12, 2004, RINEHART and POPE obtained a check FROM WALTER RAY PELFREY payable in the amount of Two Thousand Dollars (\$2,000.00) to OKRA-PAC;

23. On or about July 12, 2004, POPE prepared and filed papers registering OKRA-PAC with the State Ethics Commission as a political action committee;
24. On or about July 13, 2004, POPE opened a bank account at MidFirst Bank, N.A. in the name of OKRA-PAC and deposited PELFREY'S check for \$2,000.00 to the credit of said account;
25. On or about July 14, 2004, POPE deposited LARKIN'S \$1,000.00 check into the OKRA-PAC account at MidFirst Bank, N.A.;
26. On or about July 14, 2004, POPE issued OKRA-PAC check number 0001 payable to Wolfe Mailing and Marketing Service, Inc. in the amount of Two Thousand, Five Hundred Eighty-one Dollars and Fifty-Seven Cents (\$2,581.57);
27. On or about July 19, 2004, RINEHART filed a Campaign Contribution and Expenditure Report with the State Ethics Commission in which he failed to report the contributions of LARKIN, PELFREY.
28. On or about July 21, 2004, POPE caused the mailing services previously ordered from Wolfe Mailing and Marketing Service, Inc. by RINEHART to be re-billed to OKRA-PAC and delivered OKRA-PAC's check number 0001 to Wolfe Mailing and Marketing Service, Inc.;
29. On or about July 21, 2004, RINEHART filed An amended Campaign Contribution and Expenditure Report with the State Ethics Commission in which he failed to report the contributions of LARKIN and PELFREY.
30. On or about July 23, 2004, RINEHART and POPE obtained a check from JERL METHVIN payable in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) to OKRA-PAC;
31. On or about July 26, 2004, POPE deposited METHVIN check into the OKRA-PAC MidFirst Bank account;
32. On or about August 18, 2004, POPE issued check number 0002 payable to Hefton Operating Company in the amount of One Thousand, Seven Hundred Fifty-six Dollars and Fifty-one Cents (\$1,756.51) and delivered it in payment for the printing of the T-Bone Tribune.
- 33.
34. On or about July 19, 2004, KENNETH BRENT RINEHART while a candidate for County Commissioner, District 2 in Oklahoma County, signed filed or caused to be

filed Campaign Contributions and Expenditures reports with the Oklahoma Ethics Commission, containing the following certifications required by law ***"To the best of my knowledge and belief, the above is a true and correct compilation."*** When RINEHART knew the facts related in the paragraphs 35 – 38 were not true.

35. RINEHART knew that JERL METHVIN and RENITA METHVIN were husband and wife and lived at a residence located at 6400 Desiree, Norman, Oklahoma, but falsely reported that JERL METHVIN resided at 6300 Desiree, Norman, Oklahoma, while RENITA METHVIN resided at 6400 Desiree, Norman, Oklahoma, due to the fact that RINEHART also over-reported a contribution to defendant's campaign by JERL METHVIN on 01/07/2004 as Two Thousand, Five Hundred Dollars (\$2,500.00) instead of Two Thousand Dollars (\$2,000.00) actually contributed by METHVIN that date.
36. RINEHART knew he personally solicited and obtained a contribution of One Thousand Dollars (\$1,000.00) from ROBERT LARKIN to be used for his campaign's benefit on July 2, 2004 after having previously received contributions totaling Five Thousand Dollars (\$5,000.00) from Larkin, but did not report LARKIN'S contribution benefiting RINEHART'S campaign, thereby understating LARKIN'S contributions during the reporting period by One Thousand Dollars (\$1,000.00) and also understating the total contributions collected by RINEHART'S campaign for that period by said amount.
37. RINEHART knew he personally solicited and obtained in-kind contributions on June 10, 2004, from WALTER RAY PELFREY in which PELFREY directly paid Two Thousand, Nine Hundred Ninety Dollars and Fifty Cents (\$2,990.50) for three (3) printing jobs ordered by defendant for his campaign from Oklahoma Executive Printing, but RINEHART only reported in-kind contributions by PELFREY for the period totaling Two Thousand, Two Hundred Eighty-two Dollars and Fifty Cents (\$2,282.50), thereby under-reporting PELFREY'S in-kind contributions by Seven Hundred and Eight Dollars (\$708.00) and also understating the total contributions collected by RINEHART'S campaign for that period by said amount.
38. RINEHART knew he had personally solicited and obtained a campaign contribution of Two Thousand Dollars (\$2,000.00) from WALTER RAY PELFREY given to benefit his campaign on July 12, 2004 after having previously received money and in-kind contributions from PELFREY totaling Three Thousand, Nine Hundred Ninety Dollars and Fifty Cents (\$3,990.50), but only reported contributions from PELFREY in the amount of Three Thousand, Two Hundred Eighty-two Dollars and Fifty Cents (\$3,282.50) instead of Five Thousand, Nine Hundred Ninety Dollars and Fifty Cents (\$5,990.50), thereby under-reporting total PELFREY'S contributions benefiting RINEHART'S campaign during the reporting period by Two Thousand, Seven Hundred Eight Dollars (\$2,708.00) and also understating the total contributions collected by RINEHART'S campaign for that period by said amount.

39. On or about the 21st day of July, 2004, KENNETH BRENT RINEHART while a candidate for County Commissioner, District 2 in Oklahoma County, signed filed or caused to be filed Campaign Contributions and Expenditures reports with the Oklahoma Ethics Commission, containing the following certifications required by law ***"To the best of my knowledge and belief, the above is a true and correct compilation."*** When RINEHART knew the facts related in the following paragraphs 35 through 38 was not true.
40. On or about the 16th day of August, 2004, KENNETH BRENT RINEHART while a candidate for County Commissioner, District 2 in Oklahoma County, signed filed or caused to be filed Campaign Contributions and Expenditures reports with the Oklahoma Ethics Commission, containing the following certifications required by law ***"To the best of my knowledge and belief, the above is a true and correct compilation."*** When RINEHART knew the facts related in the following four paragraphs were not true as stated below in the paragraph 41 and 42.
41. RINEHART knew that on July 23, 2004 he personally solicited and indirectly obtained a contribution of Two Thousand, Five Hundred Dollars (\$2,500.00) from JERL METHVIN to be used for his campaign's benefit after having previously received contributions totaling four thousand five hundred (\$4,500) from METHVIN, but did not report the METHVIN contribution benefiting RINEHART'S campaign, thereby also understating in the report the amount of total contributions he had collected in the stated period and during the course of his campaign.
42. RINEHART knew that a mass mailing job performed by Wolfe Mailing and Marketing Service, Inc., paid for by OKRA-PAC on or about July 14, 2004 in the amount of Two Thousand, Five Hundred Eighty-one Dollars and Fifty-seven Cents (\$2,581.57), was actually personally ordered by RINEHART and then later funded with proceeds from contributions to benefit RINEHART'S campaign he had previously personally solicited and obtained from ROBERT LARKIN and WALTER RAY PELFREY, that OKRA-PAC was only an intermediary or conduit for LARKIN'S and PELFREY'S contributions, that the mass mailing should have been reported as an expense of his campaign, and that RINEHART reported the payment by OKRA-PAC as an in-kind contribution to his campaign rather than a campaign expense with the intent of avoiding or obstructing the ascertainment of the truth regarding the identity of the true source of the funds used in that transaction and the true identity of the proponent of the political mailing.
43. RINEHART knew that the reported acceptance dates for every contribution contained in the aforesaid Campaign Contributions and Expenditures Report were false.

44. On or about the 25th day of October, 2004, KENNETH BRENT RINEHART while a candidate for County Commissioner, District 2 in Oklahoma County, signed filed or caused to be filed Campaign Contributions and Expenditures reports with the Oklahoma Ethics Commission, containing the following certifications required by law ***"To the best of my knowledge and belief, the above is a true and correct compilation."*** When RINEHART knew the facts related in the following four paragraphs were not true stated in the following paragraphs.
45. RINEHART knew that a printing job paid for by OKRA-PAC on August 18, 2004 in the amount of One Thousand, Seven Hundred Eighty-one Dollars and Fifty-seven Cents (\$1,756.51) by Hefton Operating Company was personally ordered by RINEHART and later actually funded with proceeds from contributions to benefit RINEHART'S campaign he had previously personally solicited and obtained from Robert Larkin, WALTER RAY PELFREY and JERL METHVIN, and that OKRA-PAC was only an intermediary or conduit for LARKIN'S, PELFREY'S and METHVIN's contributions, and that RINEHART failed to report the payment for this printing as an expense of his campaign with the intent of avoiding or obstructing the ascertainment of the truth regarding the true source of the funds used in that transaction and the true identity of the proponent of the printed matter.
46. On or about the 21st day of September, 2006, TIM POPE as Chair of the political action committee called OKRA-PAC and as paid campaign manger for BRENT RINEHART a candidate for County Commissioner, District 2 in Oklahoma County, signed filed or caused to be filed Campaign Contributions and Expenditures reports with the Oklahoma Ethics Commission, containing the following certifications required by law ***"To the best of my knowledge and belief, the above is a true and correct compilation."*** POPE knew the facts related in paragraphs 47 through 50 were not true.
47. POPE knew that Schedule A to the Campaign Contribution and Expenditure Report showing a reported contribution by check issued by Bob Larkin, 7023 S.E. 15th, Midwest City, Oklahoma, reportedly accepted on July 14, 2004 in the amount of Two Thousand Dollars (\$2,000.00), was false since he knew, in truth and fact, LARKIN'S check was issued in the amount of One Thousand Dollars (\$1,000.00) and was dated and accepted on July 2, 2004.
48. POPE knew that Schedule A to the Campaign Contribution and Expenditure Report showing a reported contribution by check issued by Ray PELFREY, 3280 Del Mar, Del City, Oklahoma, reportedly accepted on July 14, 2004 in the amount of One Thousand Dollars (\$1,000.00), was false since he knew, in truth and fact, PELFREY'S check was issued in the amount of Two Thousand Dollars (\$2,000.00) and was dated and accepted on July 12, 2004.

49. POPE knew that Schedule A to the Campaign Contribution and Expenditure Report showing a reported contribution by check issued by JERL METHVIN, 6300 Desiree, Norman, Oklahoma, reportedly accepted on July 26, 2004 in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) was false and POPE knew, in truth and fact, METHVIN's address was 6400 Desiree, Norman, Oklahoma and METHVIN's check was dated and accepted on July 23, 2004.
50. POPE knew that a mass mailing job performed by Wolfe Mailing and Marketing Service, Inc., paid for by OKRA-PAC on or about July 14, 2004 in the amount of Two Thousand, Five Hundred Eighty-one Dollars and Fifty-seven Cents (\$2,581.57), was actually personally ordered by RINEHART and then later funded with proceeds from contributions to benefit RINEHART'S campaign RINEHART and POPE had previously personally solicited and obtained from ROBERT LARKIN and WALTER RAY PELFREY, that OKRA-PAC was only an intermediary or conduit for LARKIN'S and PELFREY'S contributions, that the mass mailing should have been reported as an expense of RINEHART'S campaign, and that Schedule H of OKRA-PAC's report, showing the payment of such mailing expenses as an in-kind contribution to RINEHART'S campaign rather than a RINEHART'S campaign expense was made by POPE with the intent of avoiding or obstructing the ascertainment of the truth regarding the identity of the true source of the funds used in that transaction and the true identity of the proponent of the political mailing.
51. On or about the 21st day of September, 2006, TIM POPE as Chair of the political action committee called OKRA-PAC and as paid campaign manger for BRENT RINEHART a candidate for County Commissioner, District 2 in Oklahoma County, signed filed or caused to be filed Campaign Contributions and Expenditures reports with the Oklahoma Ethics Commission, containing the following certifications required by law ***"To the best of my knowledge and belief, the above is a true and correct compilation."*** When POPE knew the facts related in the following paragraph was not true.
52. POPE knew that a printing job paid for by OKRA-PAC on August 18, 2004 in the amount of One Thousand, Seven Hundred Fifty Six Dollars and Fifty-one Cents (\$1,756.51) by Hefton Operating Company was personally ordered by RINEHART and later actually funded with proceeds from contributions to benefit RINEHART'S campaign RINEHART and POPE had previously personally solicited and obtained from Robert Larkin, WALTER RAY PELFREY and JERL METHVIN, and that OKRA-PAC was only an intermediary or conduit for LARKIN'S, PELFREY'S and METHVIN's contributions, and that Schedule H of OKRA-PAC's report, showing the payment of such printing expenses as an in-kind contribution to RINEHART'S campaign rather than a RINEHART'S campaign expense was made by POPE with the intent of avoiding or obstructing the ascertainment of the truth regarding the identity of the true source of the funds used in that transaction and the true identity of the proponent of the printed matter.

Based on this information, the undersigned prays that this Honorable Court issue a finding of fact that probable cause exists to believe that the crime of **CONSPIRACY AGAINST THE STATE, KNOWINGLY ACCEPTING A CONTRIBUTION TO A POLITICAL CANDIDATE THROUGH AN INTERMEDIARY OR CONDUIT WITH UNLAWFUL INTENT, MONEY LAUNDERING, PERJURY**, and that there is probable cause to believe that the defendant(s) above named committed that crime.

Tim Curie
Affiant

STATE OF OKLAHOMA)
COUNTY OF OKLAHOMA) SS

Subscribed and sworn this 5th day of April, 2007.

Shelia G. Tiffin
Notary Public

My Commission Expires June 30, 2007
SHELIA G. TIFFIN
Cleveland County
Notary Public in and for
State of Oklahoma
Commission # 99009185 Expires 6/30/07

FINDING OF PROBABLE CAUSE

The undersigned Judge of this Court, upon sworn testimony and/or Affidavit, hereby determines there to be probable cause to detain the defendant.

DATED this _____ day of _____, 2007.

Judge of the District Court