

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

FILED IN DISTRICT COURT
Murray County, Oklahoma

FEB 08 2012

by Lynda Baker, Court Clerk
Deputy

STATE OF OKLAHOMA,)
)
 Plaintiff,)
)
 vs.)
)
 TOM M. LINN,)
)
 DOB 03/24/1945, SSN: [REDACTED])
 Defendant.)

Case No. CF-12-55

INDICTMENT

FOR: CONSPIRACY TO DEFRAUD THE STATE OF OKLAHOMA, 21 O.S. § 424, [1
Count, being Count 1]

OFFERING A BRIBE TO A PUBLIC OFFICIAL, 21 O.S. § 381 [1 Count, being
Count 2]

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF OKLAHOMA:

By the order of the Supreme Court of Oklahoma, the Thirteenth Multicounty Grand Jury was convened with its principal site to be in Oklahoma City, Oklahoma County, Oklahoma, to serve from February 22, 2011 until August 22, 2012, or until the designated presiding judge determines the Thirteenth Multicounty Grand Jury has reached reasonable completion of its investigations, but, in any event, no more than twenty-four (24) months from the commencement of its term. That the said Multicounty Grand Jury of the State of Oklahoma, being composed of good and lawful men and woman, legally drawn and summons according to law and then and there examined, impaneled, sworn, and charged according to law to diligently inquire into and true presentment make of all public offenses against the State of Oklahoma committed and triable within the State of Oklahoma, upon their oath and in the name and by the authority of the State of Oklahoma, do present and find that:

COUNT 1: CONSPIRACY TO DEFRAUD THE STATE OF OKLAHOMA

On and before the 20th day April 2011, the crime of **Conspiracy to Defraud the State of Oklahoma** was committed in McClain County, Oklahoma, by the Defendant **Tom M. Linn** acting in concert with **Bill D. Edwards**. That is to say, on and before said date, Bill D. Edwards was the city manager for the City of Blanchard, Oklahoma; on and before said date, Defendant was the Chief of Police for the City of Blanchard; on and before said date, employment decisions regarding the position of city manager for the City of Blanchard were within the sole discretion of the Blanchard City Council; on and before said date, employment decisions regarding members of the Blanchard Police Department were within the sole discretion of the Blanchard city manager; prior to that date, on or about November 5, 2010, Jon Owens, a public officer of the City of Blanchard, Oklahoma, being a police officer with the Blanchard Police Department, was terminated from said position by the Bill D. Edwards, acting in his capacity as Blanchard city manager, based on the recommendation of Defendant, but said dismissal was not final; on or about November 8, 2010, Jon Owens appealed his termination by filing a grievance against the City of Blanchard pursuant to the Collective Bargaining Agreement between the City of Blanchard and the Fraternal Order of Police Lodge #208, and said grievance was pending as of April 20, 2011; prior to that date, on or about April 5, 2011, Jon Owens was elected to become a member of the Blanchard City Council; on said date, Jon Owens was councilman-elect for the City of Blanchard, Oklahoma, and was scheduled to take office on April 20, 2011; on and before said date, members of the Blanchard City Council were public officers; as of said date, Defendant and Bill D. Edwards knew Jon Owens had been elected as a member of the Blanchard

City Council; as of said date, Defendant and Bill D. Edwards knew Jon Owens, in his role as an elected member of the Blanchard City Council, would seek to terminate Bill D. Edwards' employment as Blanchard city manager at a meeting of the Blanchard City Council scheduled at approximately 7:00 pm on said date, April 20, 2011; as of said date, Defendant and Bill D. Edwards knew Jon Owens, in his role as an elected member of the Blanchard City Council, would, upon terminating Bill D. Edwards as city manager, seek to hire a new city manager for the City of Blanchard who would terminate Defendant as Chief of Police for the Blanchard Police Department; on said date, at approximately 3:00 p.m., said Defendant and Bill D. Edwards did knowingly, willfully, fraudulently and feloniously conspire to intentionally, willfully, corruptly and feloniously offer, give and promise Jon Owens settlement of his pending litigation against the City of Blanchard, including but not limited to reinstatement of Jon Owens as a police officer with the Blanchard Police Department, and payment of wages for Jon Owens from the period of his termination until said date with the corrupt intent to influence Jon Owens to either refuse to qualify for, or to resign his position as, a member of the Blanchard City Council prior to the meeting of said City Council scheduled at approximately 7:00 p.m. on said date. Pursuant to this conspiracy, the following overt acts were committed:

A. On or about April 11, Bill Edwards and Defendant Tom M. Linn met with Hank Weber, Chief of Police for the Hennessey Police Department in El Reno, Oklahoma, and asked Hank Weber to contact Jon Owens and inform him of Bill Edwards and Defendant Tom M. Linn's offer to settle Jon Owens pending litigation against the City of Blanchard;

B. On or about April 12, 2011, Bill D. Edwards met with Jon Owens at the City Hall of the City of Blanchard and offered to settle Jon Owens pending litigation against the City of Blanchard;

C. On or about April 20, 2011, Bill D. Edwards and Defendant Tom M. Linn traveled to Newcastle, Oklahoma and offered to settle Jon Owens pending litigation against the City of Blanchard and reinstate Jon Owens as a police officer with the City

of Blanchard in exchange for Jon Owens resigning as councilman- elect of the Blanchard City Council at the meeting of the Blanchard City Council scheduled at approximately 7:00 p.m. on said date.

All of said acts being contrary to the provisions of Sections 421 and 424 of Title 21 of the Oklahoma Statutes and against the Peace and Dignity of the State of Oklahoma.

COUNT 2: OFFERING A BRIBE TO A PUBLIC OFFICIAL

On or about the 20th day of April, 2011, the crime of **Offering a Bribe to a Public Official** was committed in McClain County, Oklahoma by the Defendant **Tom M. Linn**. That is to say, on and before said date, Defendant was the Chief of Police for the City of Blanchard, Oklahoma; on and before said date, employment decisions regarding the position of Chief of Police for the City of Blanchard were within the sole discretion of the Blanchard city manager; on and before said date, Bill D. Edwards was the city manager for the City of Blanchard, Oklahoma; on and before said date, employment decisions regarding the city manager of the City of Blanchard were within the sole discretion of the Blanchard City Council; prior to that date, on or about November 5, 2010, Jon Owens, a public officer of the City of Blanchard, Oklahoma, being a police officer with the Blanchard Police Department, was terminated from said position by Bill D. Edwards, acting in his capacity as Blanchard city manager, based on the recommendation of Defendant, but said dismissal was not final; on or about November 8, 2010, Jon Owens appealed his termination by filing a grievance against the City of Blanchard pursuant to the Collective Bargaining Agreement between the City of Blanchard and the Fraternal Order of Police Lodge #208, and said grievance was pending as of April 20, 2011; prior to that date, on or about April 5, 2011, Jon Owens was elected to become a member of the Blanchard City

Council; on said date, Jon Owens was councilman-elect for the City of Blanchard, Oklahoma, and was scheduled to take office on April 20, 2011; on and before said date, members of the Blanchard City Council were public officers; as of said date, both Bill D. Edwards and Defendant knew Jon Owens had been elected as a member of the Blanchard City Council; as of said date, Defendant knew Jon Owens, in his role as an elected member of the Blanchard City Council, would seek to terminate Bill D. Edwards employment as Blanchard city manager at a meeting of the Blanchard City Council scheduled at approximately 7:00 pm on said date, April 20, 2011; as of said date, Defendant knew Jon Owens, in his role as an elected member of the Blanchard City Council, would, upon terminating Bill D. Edwards as city manager, seek to hire a new city manager for the City of Blanchard who would terminate Defendant as Chief of Police for the Blanchard Police Department; on said date, at approximately 3:00 p.m., said Defendant and Bill D. Edwards did intentionally, willfully, corruptly and feloniously offer, give and promise Jon Owens settlement of his pending litigation against the City of Blanchard, including but not limited to reinstatement of Jon Owens as a police officer with the Blanchard Police Department, and payment of wages for Jon Owens from the period of his termination until said date; that said offer was made by Defendant and Bill D. Edwards with the corrupt intent to influence Jon Owens to either refuse to qualify for, or to resign his position as, a member of the Blanchard City Council prior to the meeting of said City Council scheduled at approximately 7:00 p.m. on said date. All of said acts being in violation of Section 381 of Title 21 of the Oklahoma Statutes, and against the Peace and Dignity of the State of Oklahoma.

TRUE BILL (X)

NO BILL ()

William J. Puller
FOREMAN

OKLAHOMA MULTICOUNTY GRAND JURY

Penalties:

Conspiracy to Defraud the State of Oklahoma, 21 O.S. 421. Payment of a fine not exceeding Five Thousand Dollars (\$5,000.00), or by imprisonment in the State Penitentiary for a period not exceeding ten (10) years, or by both such fine and imprisonment.

Offering a Bribe to a Public Official, 21 O.S. § 381. Imprisonment in the State Penitentiary not exceeding five (5) years, or by a fine not exceeding Three Thousand Dollars (\$3,000.00) and imprisonment in jail not exceeding one (1) year.

WITNESSES (Before the Grand Jury):

Agent Martin Solorzano, Oklahoma State Bureau of Investigation, 6600 North Harvey, Oklahoma City, Oklahoma 73116

Agent Mark D. Wood, Oklahoma State Bureau of Investigation, 6600 North Harvey, Oklahoma City, Oklahoma 73116

Jon Owens, 707 Pinewood Lane, Blanchard, Oklahoma 73010

Mike Ferencich, 2352 N.W. 25th St., Blanchard, Oklahoma 73010

Tom Linn, Piedmont Police Department, 314 Edmond Road NW, P.O. Box 240, Piedmont, Oklahoma 73078

Allen Leon Lacy, 1600 Townsend Glen, Blanchard, Oklahoma 73010

Glenda Suzie Mueder, 1702 S.E. 7th Street, Blanchard, Oklahoma 73010

Bob Hagan, 1700 Four Lakes, Blanchard, Oklahoma 73010

Luann Smith, 1058 Oak Creek Drive, Blanchard, Oklahoma 73010

Joel Hendrix, 10713 N.W. 38th Street, Yukon, Oklahoma 73099

David Perryman, , 201 North Fourth Street, Chickasha, Oklahoma 73023

Hank Weber, Hennessey Police Department, 110 East 2nd Street Hennessey, Oklahoma 73742

Tony Puckett, McAfee & Taft, 211 N. Robinson Ave. #S1000, Oklahoma City, Oklahoma 73102