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Category



OKLAHOMA CRIMINAL DEFENSE WEEKLY

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[James L. Hankins,](#)
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(with special thanks to Mark Hoover, OIDS, for contributing regularly)

“I have lived my life, and I have fought my battles, not against the weak and the poor—anybody can do that—but against power, against injustice, against oppression, and I have asked no odds from them, and I never shall.”----Clarence S. Darrow, *Attorney for the Damned* 491, 497 (Arthur Weinberg ed. 1957).

OKLAHOMA

[Brooke v. Reed](#), 2025 OK 86 (November 25, 2025): **Open Records Act:** The Open Records Act does not require a public body to release e-mail records in their native format which contains embedded metadata.

[Lawson v. LeFlore County Detention Center Public Trust Security Commission](#), 2025 OK 87 (November 25, 2025): **Open Records Act:** A jail trust formed for the purpose of operating a county detention center does not qualify as a “law enforcement agency” under Open Records Act.

TENTH CIRCUIT

[United States v. Jason Cory Bycroft](#), No. 24-7020 (10th Cir., October 16, 2025) (Published) (Matheson, Ebel & Moritz) (E.D. Okla.): **Supervised Release:** District court plainly erred in imposing a special condition of supervised release, without explanation, that prohibits him from using the internet without prior approval from his probation officer.

[United States v. Cameron Watkins](#), No. 23-6210 (10th Cir., October 14, 2025) (Published) (Hartz, Phillips & Moritz) (W.D. Okla.): **Search and Seizure (Warrantless; Motel Rooms):** Officers were alerted by a motel clerk that a guest matched the description of suspected carjacker. Police arrived, walked down the outside corridor and peeked into the one-inch gap in the window curtain to see Watkins sitting on the bed next to a handgun with extended magazines. The majority held that this search was legal because it was unaided, involved no breach of the motel room curtilage, and did not intrude upon a reasonable expectation of privacy. NOTE: This opinion has photographs showing the motel window. Judge Moritz penned a cheeky dissent, observing that the conduct of the officers might meet the elements under Oklahoma’s peeping Tom statute.

[United States v. John Doe](#), No. 25-9902 (10th Cir., October 7, 2025) (Published) (Phillips, Murphy & Eid): **Juveniles; Kidnapping:** Doe is a Native American juvenile who admitted to kidnapping a minor female for the purpose of physically assaulting her. He was found delinquent. However, after his plea, circuit precedent altered the definition of kidnapping by holding that the “hold” requirement required the accused to hold the victim for an appreciable period of time beyond the time necessary to carry out any related offense. The majority held that the district did not err plainly in describing the elements of kidnapping absent the nuance of subsequent circuit precedent. NOTE: Judge Eid dissented.

UNITED STATES SUPREME COURT

“Only Supreme Court justices and schoolchildren are expected to and do take the entire summer off.” –*Chief Justice John Roberts*
(statement made while he served as a lawyer in the Reagan Administration).

No new cases.

VICTORIES

BRIAN RAYL & HANNAH SUMMY, Tulsa County P.D., secured a Not Guilty verdict in a First Degree Murder jury trial in Tulsa County. The jury concluded that the client acted in self-defense, thanks to the advocacy of the defense. Oh, by the way, this was Hannah's very first jury trial! Great job, Brian and Hannah!

HEARSAY

DNA: A new "Ancestral DNA" process is helping investigators solve cold cases.

PUPPIES: Police officers in Purcell made sure that puppies at the Purcell Animal Shelter had a nice Thanksgiving.

JAM: Although DOC is still awaiting FCC approval to utilize cell-phone jamming technology, it intends to implement it first at the Oklahoma State Penitentiary.

RIP: The link goes to the obituary of the late Judge Louis Duel.

HORSES: The Muscogee Lighthorse Mounted Patrol has pulled its horses from duty because of a virus outbreak.

APPOINTED: Gov. Stitt has appointed Janet Hutson as the new District Attorney in Muskogee County.

RUNNING: Jeff Starling, the Oklahoma Secretary of Energy, has announced his intention to run for Attorney General.

PATROL: A few of Oklahoma's largest law enforcement agencies will change their patrol protocols amidst a push by OHP for local agencies to assume more responsibilities.

RESIGNED: The chairman of Oklahoma's Domestic Violence Fatality Review Board has resigned in protest to the Board's decision not to notify women that their answers to a questionnaire could be used against them in court.

INDICTED: The Coal County Sheriff, in office less than a year, has been indicted by a grand jury for sexual harassment and habitual drunkenness. He also faces an ouster petition.

WACKY CRIME

MIAMI: The Miami Police Department has released details on the “Not-So-Sneaky Copper Caper.”

LAWTON: Lawton radio station Z94 has described the Turner Turnpike as a “vehicular free-for-all.”

TULSA: A Tulsa man went into Dave’s Hot Chicken and assaulted employees with...pepper spray.

PROBLEMS: A group in Tulsa is tackling one of the city’s most pressing code violation problems...improper yard maintenance.

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SUBSCRIPTIONS AND SUBMISSIONS: No subscriptions are necessary. I will post the issues weekly to my web site: www.ocdw.com. Submissions of articles, war stories, letters, victory stories, comments or questions can be sent to Mr. Hankins via e-mail (jameshankins@ocdw.com) or you can contact him by phone at 405.753.4150, by fax at 405.445.4956, or by regular mail at James L. Hankins, MON ABRI BUSINESS CENTER, 2524 N. Broadway, Edmond, OK 73034.

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