



January 27, 2016

The Honorable Chris Bengé
Oklahoma Secretary of State
2300 N. Lincoln Boulevard, Ste. 101
Oklahoma City, Oklahoma 73105-4897

Re: Initiative Petition

Dear Mr. Secretary:

Please accept for filing the enclosed copy of an initiative petition and the Proponents' suggested ballot title. The initiative petition would create the County Community Safety Investment Fund, which would consist of costs saved by reclassifying as misdemeanors certain property crimes and drug possession.

Very truly yours,

D. Kent Meyers,
Roger Stong
Melanie Wilson Rughani
CROWE & DUNLEVY
Braniff Building
324 N. Robinson Ave., Ste. 100
Oklahoma City, OK 73102

Counsel for Proponents

cc: Oklahoma Attorney General

RECEIVED
JAN 27 2016
OKLAHOMA SECRETARY
OF STATE

A P R O F E S S I O N A L C O R P O R A T I O N

OKLAHOMA CITY • Braniff Building • 324 N. Robinson Ave., Ste. 100 • Oklahoma City, OK 73102 • T: 405.235.7700 • F: 405.239.6651
TULSA • 500 Kennedy Building • 321 S. Boston Ave. • Tulsa, OK 74103 • T: 918.592.9800 • F: 918.592.9801

crowedunlevy.com

FILED

JAN 27 2016

OKLAHOMA SECRETARY
OF STATE

PROPOSED BALLOT TITLE

This measure creates the County Community Safety Investment Fund. The fund consists of costs saved by reclassifying as misdemeanors certain property crimes and drug possession. The funds must be distributed to counties for the purpose of funding rehabilitative programs, such as mental health and substance abuse treatment programs. This measure only becomes effective if voters approve State Question ~~780~~ the Oklahoma Smart Justice Reform Act.

Shall the proposal be approved?

For the proposal - YES

Against the proposal - NO

A "YES" vote is a vote in favor of this measure. A "NO" vote is a vote against this measure.

FILED

JAN 27 2016

OKLAHOMA SECRETARY
OF STATE

State Question No. 781, Initiative Petition No. 405

WARNING

IT IS A FELONY FOR ANYONE TO SIGN AN INITIATIVE OR REFERENDUM PETITION WITH ANY NAME OTHER THAN HIS OWN, OR KNOWINGLY TO SIGN HIS NAME MORE THAN ONCE FOR THE MEASURE, OR TO SIGN THE PETITION WHEN HE IS NOT A LEGAL VOTER.

INITIATIVE PETITION

To the Honorable Mary Fallin, Governor of Oklahoma:

We, the undersigned legal voters of the State of Oklahoma, respectfully order that the following proposed law shall be submitted to the legal voters of the State of Oklahoma for their approval or rejection at the regular general election, to be held on the 8th day of November, 2016 (or at a special election as may be called by the Governor), and each for himself says: I have personally signed this petition; I am a legal voter of the State of Oklahoma; my residence or post office are correctly written after my name. The time for filing this petition expires ninety (90) days from _____. The question we herewith submit to our fellow voters is:

Shall the following bill be approved?

An Act relating to the County Community Safety Investment Fund; stating factual findings and intent for Act; creating the County Community Safety Investment Fund; providing for the budgeting and disbursement of the funds therein by the Office of Management and Enterprise Services, to be used for county community rehabilitative programming; permitting the promulgation of rules for implementation; directing the annual calculation of savings from the Oklahoma Smart Justice Reform Act; providing for the appropriation and payment of such savings to the County Community Safety Investment Fund; specifying condition under which the Act shall cease to have the force of law; providing effective date; providing for severability.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. The people of the state of Oklahoma find the fact that Oklahoma has the second-highest overall incarceration rate in the country, and the highest incarceration rate for women, is inconsistent with Oklahoma values, and drains resources away from investments that can do more to promote public safety. Therefore, the people intend, in enacting this initiative measure, to implement criminal justice reforms that focus on treating the root causes of crime by increasing funding for rehabilitation services like drug and mental health treatment, job training, and education programs.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 631 of Title 57, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created in the State Treasury a revolving fund to be designated the "County Community Safety Investment Fund." The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received pursuant to Section 633 of Title 57 of the Oklahoma Statutes.

B. All monies appropriated and accruing to the credit of the fund shall be budgeted and expended by the Office of Management and Enterprise Services for the sole purpose of providing

funds to counties to provide community rehabilitative programming, including but not limited to mental health and substance abuse services. Funds shall be disbursed in proportion to county population, as reported in the most recent census.

C. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

D. The Director of the Office of Management and Enterprise Services shall promulgate rules necessary to implement the provisions of this act.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 632 of Title 57, unless there is created a duplication in numbering, reads as follows:

No later than July 31 of the year following the effective date of this Act, and no later than July 31 every year thereafter, the Office of Management and Enterprise Services shall calculate the savings and averted costs that accrued to the state from the implementation of the Oklahoma Smart Justice Reform Act. In making the calculation required by this section, the Office of Management and Enterprise Services shall use actual data or best available estimates where actual data is not available. The calculation shall be final and shall not be adjusted for any subsequent changes in the underlying data.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 633 of Title 57, unless there is created a duplication in numbering, reads as follows:

An amount equal to the savings calculated by the Office of Management and Enterprise Services pursuant to Section 632 of Title 57 shall, subject to appropriation by the Legislature, be paid to the County Community Safety Investment Fund.

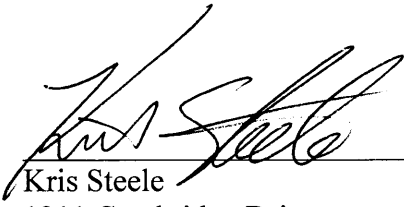
This section is intended to comply with, and is subject to, Article V, Section 55, Article VI, Section 12, Article X, Section 23, and the other applicable provisions of the Oklahoma Constitution.

SECTION 5. The provisions of this initiative shall not become effective if the Oklahoma Smart Justice Reform Act is not approved by the people of this State.

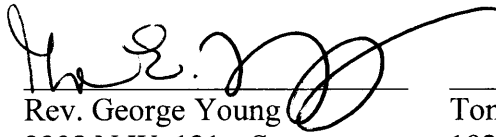
SECTION 6. This act shall become effective on July 1 immediately following its passage.

SECTION 7. The provisions hereof are severable, and if any part or provision hereof shall be void, invalid, or unconstitutional, the decision of the court so holding shall not affect or impair any of the remaining parts or provisions hereof, and the remaining provisions hereof shall continue in full force and effect.

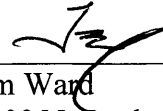
Name and Address of Proponents



Kris Steele
1211 Cambridge Drive
Shawnee, OK 74804



Rev. George Young
2332 N.W. 121st Street
Oklahoma City, OK 73120



Tom Ward
19200 N. Rockwell
Edmond, OK 73012

SIGNATURES

The gist of the proposition is as follows: This measure creates the County Community Safety Investment Fund. The fund consists of costs saved by reclassifying as misdemeanors certain property crimes and simple drug possession. The funds must be distributed to counties for the purpose of funding rehabilitative programs, such as mental health and substance abuse treatment programs. This measure only becomes effective if voters approve State Question 780, the Oklahoma Smart Justice Reform Act.

WARNING

It is a felony for anyone to sign an initiative or referendum petition with any name other than his own, or knowingly to sign his name more than once for the measure, or to sign the petition when he is not a legal voter.

1.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
2.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
3.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
4.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
5.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
6.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
7.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
8.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
9.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
10.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
11.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
12.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
13.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
14.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
15.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
16.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
17.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
18.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
19.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
20.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County

AFFIDAVIT

STATE OF OKLAHOMA)
)
COUNTY OF _____) ss.

I, _____, being first duly sworn, say:

That I am at least eighteen (18) years old and that all signatures on the signature sheet were signed in my presence. I believe that each signer has stated his or her name, mailing address, and residence correctly, and that each signer is a legal voter of the State of Oklahoma and the County of his residence as stated.

Circulator's Signature

Address

City ZIP Code

Subscribed and sworn to before me this ____ day of _____, 20____.

Notary Public

Address

City ZIP Code

My Commission Expires:

My Commission Number:



Chris Benge
Secretary of State
and
Native American Affairs

Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

January 27, 2016

FILED

JAN 27 2016

OKLAHOMA SECRETARY
OF STATE

Kris Steele
1211 Cambridge Drive
Shawnee, OK 74804

Rev. George Young
2332 N.W. 121st Street
Oklahoma City, OK 73120

Tom Ward
19200 N. Rockwell
Edmond, OK 73012

This acknowledges receipt of the petition submitted to our office, which has been designated as **State Question Number 781, Initiative Petition Number 405**, and filed accordingly this January 27, 2016.

Per Title 34 O.S. Section 8, subsequent to the publication of the notice of filing of said petition, the apparent sufficiency or insufficiency thereof and notice that any citizen(s) of the state may file a protest as to the constitutionality of the petition, the Secretary of State will provide a notification to the proponent(s) setting the date to begin circulation for signatures. The date set shall not be less than fifteen (15) days nor more than thirty (30) days from the date when all appeals, protests and rehearings have been resolved or the period for filing such has expired.

If we may provide any further assistance or should you have any questions, please do not hesitate to contact our office (405-522-4565 or executivelegislative@sos.ok.gov).

Sincerely,

Chris Benge
Secretary of State and
Native American Affairs



Chris Bengé
Secretary of State
and
Native American Affairs

SECRETARY OF STATE
AND
NATIVE AMERICAN AFFAIRS

Mary Fallin
Governor

January 27, 2016

RECEIVED

JAN 28 2016

OFFICE OF THE
GOVERNOR

The Honorable Mary Fallin
Governor, State of Oklahoma
Room 212, State Capitol
Oklahoma City, Oklahoma 73105

Dear Governor Fallin:

Please be advised that an initiative petition, designated as **State Question 781, Initiative Petition 405**, was sufficiently filed with the Office of the Secretary of State on Wednesday, January 27, 2016. Proponents of record for said petition are as follows;

Kris Steele
1211 Cambridge Drive
Shawnee, OK 74804

Rev. George Young
2332 N.W. 121st Street
Oklahoma City, OK 73120

Tom Ward
19200 N. Rockwell
Edmond, OK 73012

Please find enclosed a true and exact copy of State Question 781, Initiative Petition 405 on record with the Office of the Secretary of State.

Per Title 34 O.S. Section 8, subsequent to the publication of notice of filing of said petition, the apparent sufficiency thereof and notice that any citizen(s) of the state may file a protest as to the constitutionality of the petition, the Secretary of State will provide a notification to the proponent(s) setting the date to begin circulation for signatures. The date set shall not be less than fifteen (15) days nor more than thirty (30) days from the date when all appeals, protests and rehearings have been resolved or the period for filing such has expired.

If I may be of any further assistance, please do not hesitate to contact me.

Sincerely,

Chris Bengé
Secretary of State and
Native American Affairs

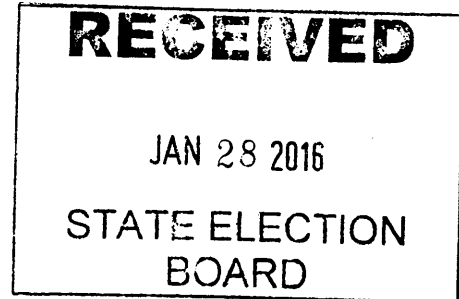


Chris Bengé
Secretary of State
and
Native American Affairs

SECRETARY OF STATE
AND
NATIVE AMERICAN AFFAIRS

Mary Fallin
Governor

January 27, 2016



Secretary Paul Ziriaux
Oklahoma State Election Board
Room 3, State Capitol
Oklahoma City, Oklahoma 73105

Dear Secretary Ziriaux:

Please be advised that an initiative petition, designated as **State Question 781, Initiative Petition 405**, was sufficiently filed with the Office of the Secretary of State on Wednesday, January 27, 2016. Proponents of record for said petition are as follows;

Kris Steele
1211 Cambridge Drive
Shawnee, OK 74804

Rev. George Young
2332 N.W. 121st Street
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19200 N. Rockwell
Edmond, OK 73012

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If I may be of any further assistance, please do not hesitate to contact me.

Sincerely,

Chris Bengé
Secretary of State and
Native American Affairs



Chris Bengé
Secretary of State
and
Native American Affairs

SECRETARY OF STATE
AND
NATIVE AMERICAN AFFAIRS

Mary Fallin
Governor

FILED

JAN 28 2016

OKLAHOMA SECRETARY
OF STATE

January 27, 2016

Hand Delivered

Ms. Cindy Shea
Oklahoma Press Service
3601 N. Lincoln
Oklahoma City, OK 73105

Dear Ms. Shea:

Please find enclosed the following for publication;

- **Notice of Filing for State Question 780, Initiative Petition 404**
- **Notice of Filing for State Question 781, Initiative Petition 405**
- **Notice of Filing for State Question 782, Initiative Petition 406**

Per Title 34 O.S. § 8, the publications must appear in at least one newspaper of general circulation in the State of Oklahoma. Please publish the enclosed notices in *The Oklahoman*, *Tulsa World*, and the *Journal Record* as soon as possible.

Also, upon the completion of publication, please provide our office with the corresponding Affidavits of Publication. Should you have any questions, please do not hesitate to contact our office.

Sincerely,

Chris Bengé
Secretary of State and
Native American Affairs

NOTICE OF THE FILING OF STATE QUESTION 781, INITIATIVE PETITION 405, THE APPARENT SUFFICIENCY THEREOF, AND NOTICE TO CITIZENS OF THE STATE THAT ANY SUCH PROTEST, AS TO THE CONSTITUTIONALITY OF SAID PETITION, MUST BE FILED ACCORDINGLY WITHIN TEN (10) BUSINESS DAYS AFTER THIS NOTICE (Okla. Stat. tit. 34, § 8)

NOTICE is hereby given that on January 27, 2016, State Question 781, Initiative Petition 405 was filed in the Office of the Oklahoma Secretary of State.

NOTICE is also hereby given that State Question 781, Initiative Petition 405 is SUFFICIENT for filing with the Office of the Oklahoma Secretary of State.

NOTICE is likewise, hereby given, as provided in Title 34 Section 8 of the Oklahoma Statutes, that any citizen or citizens of the state may file a protest as to the constitutionality of said petition, by a written notice to the Supreme Court and to the proponents or proponents filing the petition. Any such protest must be filed within ten (10) business days after publication of this notice. Also, a copy of any such protest shall be filed with the Office of the Oklahoma Secretary of State.

Proponents of record for State Question 781, Initiative Petition 405:

Kris Steele	Rev. George Young	Tom Ward
1211 Cambridge Drive	2332 N.W. 121 st Street	19200 N. Rockwell
Shawnee, OK 74804	Oklahoma City, OK 73120	Edmond, OK 73012

Chris Bengé
Oklahoma Secretary of State and
Native American Affairs

Oklahoma Press Service

3601 North Lincoln Blvd.

Oklahoma City, OK 73105-

Voice (405) 499-0020 Fax (405) 499-0048

Thursday, February 04, 2016 12:09 PM

Page 1

Proof of Publication Order Number 16-01-59

I, Cindy Shea, of lawful age, being duly sworn upon oath, deposes and says: That I am the Authorized Agent of OK-TULSA WORLD - Legal, a Daily newspaper printed and published in the city of TULSA, county of Tulsa, and state of Oklahoma, and that the advertisement referred to, a true and printed copy of which is here unto attached, was published in said OK-TULSA WORLD - Legal in consecutive issues on the following dates-to-wit:

Insertion: 01/31/2016

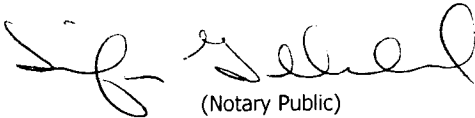
That said newspaper has been published continuously and uninterruptedly in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as second-class mail matter; that it has a general paid circulation, and publishes news of general interest, and otherwise conforms with all of the statutes of the Oklahoma governing legal publications.

PUBLICATION FEE \$54.21



(Editor, Publisher or Authorized Agent)

SUBSCRIBED and sworn to me this
4 day of February 2016.



(Notary Public)



NOTICE OF THE FILING OF STATE QUESTION 781, INITIATIVE PETITION 405, THE APPARENT SUFFICIENCY THEREOF, AND NOTICE TO CITIZENS OF THE STATE THAT ANY SUCH PROTEST, AS TO THE CONSTITUTIONALITY OF SAID PETITION, MUST BE FILED ACCORDINGLY WITHIN TEN (10) BUSINESS DAYS AFTER THIS NOTICE (Okla. Stat. tit. 34, § 8)

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NOTICE is likewise, hereby given, as provided in Title 34 Section 8 of the Oklahoma Statutes, that any citizen or citizens of the state may file a protest as to the constitutionality of said petition, by a written notice to the Supreme Court and to the proponents or proponents filing the petition. Any such protest must be filed within ten (10) business days after publication of this notice. Also, a copy of any such protest shall be filed with the Office of the Oklahoma Secretary of State.

Proponents of record for State Question 781, Initiative Petition 405:

Kris Steele	Rev. George Young	Tom Ward
1211 Cambridge Drive	2332 N.W. 121st Street	19200 N. Rockwell
Shawnee, OK 74804	Oklahoma City, OK 73120	Edmond, OK 73012

Chris Bengé
Oklahoma Secretary of State and Native American Affairs

Oklahoma Press Service

3601 North Lincoln Blvd.

Oklahoma City, OK 73105-

Voice (405) 499-0020 Fax (405) 499-0048

Thursday, February 04, 2016 12:09 PM

Page 1

Proof of Publication Order Number 16-01-59

I, Cindy Shea, of lawful age, being duly sworn upon oath, deposes and says: That I am the Authorized Agent of OK-THE OKLAHOMAN, a Daily newspaper printed and published in the city of OKLAHOMA CITY, county of Oklahoma, and state of Oklahoma, and that the advertisement referred to, a true and printed copy of which is here unto attached, was published in said OK-THE OKLAHOMAN in consecutive issues on the following dates-to-wit:

Insertion: 01/31/2016

That said newspaper has been published continuously and uninterruptedly in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as second-class mail matter; that it has a general paid circulation, and publishes news of general interest, and otherwise conforms with all of the statutes of the Oklahoma governing legal publications.

PUBLICATION FEE \$931.18

(Editor, Publisher or Authorized Agent)

SUBSCRIBED and sworn to me this
4 day of February 2016.

(Notary Public)



NOTICE OF THE FILING OF STATE QUESTION 781, INITIATIVE PETITION 405, THE APPARENT SUFFICIENCY THEREOF, AND NOTICE TO CITIZENS OF THE STATE THAT ANY SUCH PROTEST, AS TO THE CONSTITUTIONALITY OF SAID PETITION, MUST BE FILED ACCORDINGLY WITHIN TEN (10) BUSINESS DAYS AFTER THIS NOTICE (Okla. Stat. tit. 34, § 8)

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Proponents of record for State Question 781, Initiative Petition 405:

Kris Steele	Rev. George Young	Tom Ward
1211 Cambridge Drive	2332 N.W. 121st Street	19200 N. Rockwell
Shawnee, OK 74804	Oklahoma City, OK 73120	Edmond, OK 73012

Chris Bengé
Oklahoma Secretary of State and Native American Affairs

Oklahoma Press Service

3601 North Lincoln Blvd.

Oklahoma City, OK 73105-

Voice (405) 499-0020 Fax (405) 499-0048

Thursday, February 04, 2016 12:09 PM

Page 1

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Insertion: 02/01/2016

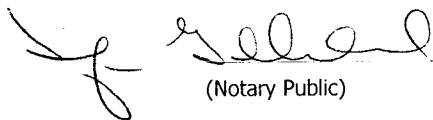
That said newspaper has been published continuously and uninterruptedly in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as second-class mail matter; that it has a general paid circulation, and publishes news of general interest, and otherwise conforms with all of the statutes of the Oklahoma governing legal publications.

PUBLICATION FEE \$36.75



(Editor, Publisher or Authorized Agent)

SUBSCRIBED and sworn to me this
4 day of February 2016.



(Notary Public)



NOTICE OF THE FILING OF STATE QUESTION 781, INITIATIVE PETITION 405, THE APPARENT SUFFICIENCY THEREOF, AND NOTICE TO CITIZENS OF THE STATE THAT ANY SUCH PROTEST, AS TO THE CONSTITUTIONALITY OF SAID PETITION, MUST BE FILED ACCORDINGLY WITHIN TEN (10) BUSINESS DAYS AFTER THIS NOTICE (Okla. Stat. tit. 34, § 8)

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Proponents of record for State Question 781, Initiative Petition 405:

Kris Steele	Rev. George Young	Tom Ward
1211 Cambridge Drive	2332 N.W. 121st Street	19200 N. Rockwell
Shawnee, OK 74804	Oklahoma City, OK 73120	Edmond, OK 73012

Chris Bengé
Oklahoma Secretary of State and Native American Affairs



Chris Bengé
Secretary of State
and
Native American Affairs

Mary Fallin
Governor

SECRETARY OF STATE
AND
NATIVE AMERICAN AFFAIRS

February 18, 2016

Kris Steele
1211 Cambridge Drive
Shawnee, OK 74804

Rev. George Young
2332 N.W. 121st Street
Oklahoma City, OK 73120

Tom Ward
19200 N. Rockwell
Edmond, OK 73012

Dear Proponent(s):

Per Title 34, Section 8 of the Oklahoma Statutes, no appeals or protests have been filed and the period for such has expired, therefore notice is hereby given that the signature gathering period for **State Question Number 781, Initiative Petition Number 405** is set to begin on March 10, 2016 and all signatures are due within ninety (90) days of the date set. Signatures will not be accepted for filing after 5:00 p.m. on June 7, 2016. The current signature requirement for amendments to the Oklahoma Statutes is 65,987.

Please find enclosed two true and accurate copies of said petition on record with the Secretary of State office and a copy of the current signature requirements for statewide petitions as certified by the Secretary of the Oklahoma State Election Board.

If we may provide any further assistance or should you have any questions, please do not hesitate to contact our office (405-522-4565 or executivelegislative@sos.ok.gov).

Sincerely,

A handwritten signature in black ink that reads "Chris Bengé". The signature is written in a cursive style with a large initial "C".

Chris Bengé
Secretary of State and
Native American Affairs

Cc: Crowe & Dunlevy



Chris Bengé
Secretary of State
and
Native American Affairs

Mary Fallin
Governor

SECRETARY OF STATE
AND
NATIVE AMERICAN AFFAIRS

February 18, 2016

Kris Steele
1211 Cambridge Drive
Shawnee, OK 74804

✓ Rev. George Young
2332 N.W. 121st Street
Oklahoma City, OK 73120

Tom Ward
19200 N. Rockwell
Edmond, OK 73012

Dear Proponent(s):

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If we may provide any further assistance or should you have any questions, please do not hesitate to contact our office (405-522-4565 or executivelegislative@sos.ok.gov).

Sincerely,

Chris Bengé
Secretary of State and
Native American Affairs

Cc: Crowe & Dunlevy



Chris Bengé
Secretary of State
and
Native American Affairs

Mary Fallin
Governor

SECRETARY OF STATE
AND
NATIVE AMERICAN AFFAIRS

February 18, 2016

Kris Steele
1211 Cambridge Drive
Shawnee, OK 74804

Rev. George Young
2332 N.W. 121st Street
Oklahoma City, OK 73120

✓ Tom Ward
19200 N. Rockwell
Edmond, OK 73012

Dear Proponent(s):

Per Title 34, Section 8 of the Oklahoma Statutes, no appeals or protests have been filed and the period for such has expired, therefore notice is hereby given that the signature gathering period for **State Question Number 781, Initiative Petition Number 405** is set to begin on March 10, 2016 and all signatures are due within ninety (90) days of the date set. Signatures will not be accepted for filing after 5:00 p.m. on June 7, 2016. The current signature requirement for amendments to the Oklahoma Statutes is 65,987.

Please find enclosed two true and accurate copies of said petition on record with the Secretary of State office and a copy of the current signature requirements for statewide petitions as certified by the Secretary of the Oklahoma State Election Board.

If we may provide any further assistance or should you have any questions, please do not hesitate to contact our office (405-522-4565 or executivelegislative@sos.ok.gov).

Sincerely,

Chris Bengé
Secretary of State and
Native American Affairs

Cc: Crowe & Dunlevy



Chris Bengé
Secretary of State
and
Native American Affairs

Mary Fallin
Governor

SECRETARY OF STATE
AND
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February 18, 2016

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Dear Proponent(s):

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Please find enclosed two true and accurate copies of said petition on record with the Secretary of State office and a copy of the current signature requirements for statewide petitions as certified by the Secretary of the Oklahoma State Election Board.

If we may provide any further assistance or should you have any questions, please do not hesitate to contact our office (405-522-4565 or executivelegislative@sos.ok.gov).

Sincerely,

Chris Bengé
Secretary of State and
Native American Affairs

✓ Cc: Crowe & Dunlevy

FILED

JAN 27 2016

OKLAHOMA SECRETARY
OF STATE

State Question No. 781, Initiative Petition No. 405

WARNING

IT IS A FELONY FOR ANYONE TO SIGN AN INITIATIVE OR REFERENDUM PETITION WITH ANY NAME OTHER THAN HIS OWN, OR KNOWINGLY TO SIGN HIS NAME MORE THAN ONCE FOR THE MEASURE, OR TO SIGN THE PETITION WHEN HE IS NOT A LEGAL VOTER.

INITIATIVE PETITION

To the Honorable Mary Fallin, Governor of Oklahoma:

We, the undersigned legal voters of the State of Oklahoma, respectfully order that the following proposed law shall be submitted to the legal voters of the State of Oklahoma for their approval or rejection at the regular general election, to be held on the 8th day of November, 2016 (or at a special election as may be called by the Governor), and each for himself says: I have personally signed this petition; I am a legal voter of the State of Oklahoma; my residence or post office are correctly written after my name. The time for filing this petition expires ninety (90) days from MARCH 10, 2016. The question we herewith submit to our fellow voters is:

Shall the following bill be approved?

An Act relating to the County Community Safety Investment Fund; stating factual findings and intent for Act; creating the County Community Safety Investment Fund; providing for the budgeting and disbursement of the funds therein by the Office of Management and Enterprise Services, to be used for county community rehabilitative programming; permitting the promulgation of rules for implementation; directing the annual calculation of savings from the Oklahoma Smart Justice Reform Act; providing for the appropriation and payment of such savings to the County Community Safety Investment Fund; specifying condition under which the Act shall cease to have the force of law; providing effective date; providing for severability.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. The people of the state of Oklahoma find the fact that Oklahoma has the second-highest overall incarceration rate in the country, and the highest incarceration rate for women, is inconsistent with Oklahoma values, and drains resources away from investments that can do more to promote public safety. Therefore, the people intend, in enacting this initiative measure, to implement criminal justice reforms that focus on treating the root causes of crime by increasing funding for rehabilitation services like drug and mental health treatment, job training, and education programs.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 631 of Title 57, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created in the State Treasury a revolving fund to be designated the "County Community Safety Investment Fund." The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received pursuant to Section 633 of Title 57 of the Oklahoma Statutes.

B. All monies appropriated and accruing to the credit of the fund shall be budgeted and expended by the Office of Management and Enterprise Services for the sole purpose of providing

funds to counties to provide community rehabilitative programming, including but not limited to mental health and substance abuse services. Funds shall be disbursed in proportion to county population, as reported in the most recent census.

C. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

D. The Director of the Office of Management and Enterprise Services shall promulgate rules necessary to implement the provisions of this act.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 632 of Title 57, unless there is created a duplication in numbering, reads as follows:

No later than July 31 of the year following the effective date of this Act, and no later than July 31 every year thereafter, the Office of Management and Enterprise Services shall calculate the savings and averted costs that accrued to the state from the implementation of the Oklahoma Smart Justice Reform Act. In making the calculation required by this section, the Office of Management and Enterprise Services shall use actual data or best available estimates where actual data is not available. The calculation shall be final and shall not be adjusted for any subsequent changes in the underlying data.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 633 of Title 57, unless there is created a duplication in numbering, reads as follows:

An amount equal to the savings calculated by the Office of Management and Enterprise Services pursuant to Section 632 of Title 57 shall, subject to appropriation by the Legislature, be paid to the County Community Safety Investment Fund.

This section is intended to comply with, and is subject to, Article V, Section 55, Article VI, Section 12, Article X, Section 23, and the other applicable provisions of the Oklahoma Constitution.

SECTION 5. The provisions of this initiative shall not become effective if the Oklahoma Smart Justice Reform Act is not approved by the people of this State.

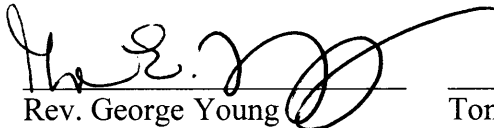
SECTION 6. This act shall become effective on July 1 immediately following its passage.

SECTION 7. The provisions hereof are severable, and if any part or provision hereof shall be void, invalid, or unconstitutional, the decision of the court so holding shall not affect or impair any of the remaining parts or provisions hereof, and the remaining provisions hereof shall continue in full force and effect.

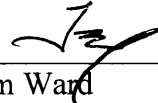
Name and Address of Proponents



Kris Steele
1211 Cambridge Drive
Shawnee, OK 74804



Rev. George Young
2332 N.W. 121st Street
Oklahoma City, OK 73120



Tom Ward
19200 N. Rockwell
Edmond, OK 73012

SIGNATURES

The gist of the proposition is as follows: This measure creates the County Community Safety Investment Fund. The fund consists of costs saved by reclassifying as misdemeanors certain property crimes and simple drug possession. The funds must be distributed to counties for the purpose of funding rehabilitative programs, such as mental health and substance abuse treatment programs. This measure only becomes effective if voters approve State Question 780, the Oklahoma Smart Justice Reform Act.

WARNING

It is a felony for anyone to sign an initiative or referendum petition with any name other than his own, or knowingly to sign his name more than once for the measure, or to sign the petition when he is not a legal voter.

1.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
2.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
3.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
4.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
5.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
6.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
7.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
8.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
9.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
10.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
11.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
12.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
13.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
14.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
15.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
16.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
17.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
18.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
19.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County
20.	_____	_____	_____	_____	_____	_____
	Signature of Legal Voter	Print Name	Address	City	Zip	County

AFFIDAVIT

STATE OF OKLAHOMA)
) ss.
COUNTY OF _____)

I, _____, being first duly sworn, say:

That I am at least eighteen (18) years old and that all signatures on the signature sheet were signed in my presence. I believe that each signer has stated his or her name, mailing address, and residence correctly, and that each signer is a legal voter of the State of Oklahoma and the County of his residence as stated.

Circulator's Signature

Address

City ZIP Code

Subscribed and sworn to before me this ____ day of _____, 20_____.

Notary Public

Address

City ZIP Code

My Commission Expires:

My Commission Number:



June 2, 2016

The Honorable Chris Bengé
Oklahoma Secretary of State
2300 N. Lincoln Boulevard, Ste. 101
Oklahoma City, Oklahoma 73105-4897

FILED

JUN 02 2016

OKLAHOMA SECRETARY
OF STATE

Re: State Question No. 781, Initiative Petition No. 405

Dear Mr. Secretary:

Enclosed on behalf of Kris Steele, Tom Ward Rev. George Young, the proponents ("Proponents") of State Question No. 781, Initiative Petition No. 405, please accept for filing 14 boxes of signature pamphlets in support of State Question No. 781, Initiative Petition No. 405.

Pursuant to 34 Okla.Stat. § 8(G), the Proponents hereby certify that:

1. All signed petitions have been filed with the Secretary of State;
2. No more petitions are in circulation; and
3. The Proponents will not circulate any more petitions.

Respectfully submitted,

D. Kent Meyers,
Roger A. Stong
Melanie Wilson Rughani

CROWE & DUNLEVY, A P.C.
Braniff Building
324 N. Robinson Ave., Ste. 100
Oklahoma City, OK 73102

Counsel for the Proponents

cc: Oklahoma Attorney General

A P R O F E S S I O N A L C O R P O R A T I O N

OKLAHOMA CITY • Braniff Building • 324 N. Robinson Ave., Ste. 100 • Oklahoma City, OK 73102 • T: 405.235.7700 • F: 405.239.6651
TULSA • 500 Kennedy Building • 321 S. Boston Ave. • Tulsa, OK 74103 • T: 918.592.9800 • F: 918.592.9801

crowedunlevy.com



Chris Bengé
Secretary of State
and
Native American Affairs

Mary Fallin
Governor

SECRETARY OF STATE
AND
NATIVE AMERICAN AFFAIRS

FILED

JUN 02 2016

OKLAHOMA SECRETARY
OF STATE

June 2, 2016

Kris Steele
1211 Cambridge Drive
Shawnee, OK 74804

Rev. George Young
2332 N.W. 121st Street
Oklahoma City, OK 73120

Tom Ward
19200 N. Rockwell
Edmond, OK 73012

Dear Proponent(s):

This letter is to acknowledge receipt of 14 boxes containing signature pamphlets filed for **State Question Number 781, Initiative Petition Number 405**. The boxes of petition pamphlets arrived this 2nd day of June, 2016 at 2:27 PM.

As required by law, the petition boxes have been sealed. Said seals will not be broken until the signature counting process begins. Pursuant to the provisions of Title 34 O.S. §8(G), proponents of said petition may terminate the signature circulation period at any time during the ninety-day circulation period by certifying to our office that all signed petitions have been filed, no more petitions are in circulation, and proponents will not circulate any more petitions. If such a certification is received from the proponents, our office will be able to begin the signature counting process.

Also, per Title 34 O.S. §4, an individual from the petition drive must be present for the detaching of the signature pages and affidavits during the process of counting and binding the signature sheets. Please refer to the enclosed Observer Details page for further instruction and information regarding such.

If we may provide any further assistance or should you have any questions, please do not hesitate to contact our office (405-522-4565 or executivelegislative@sos.ok.gov).

Sincerely,

Chris Bengé
Secretary of State and
Native American Affairs



Chris Bengé
Secretary of State
and
Native American Affairs

Mary Fallin
Governor

SECRETARY OF STATE
AND
NATIVE AMERICAN AFFAIRS

June 2, 2016

TO: Proponents of SQ781, IP405

RE: OBSERVER - GENERAL INFORMATION and INSTRUCTION SHEET

Signature Counting Room: The Secretary of State office
Oklahoma State Capitol building, Room 101

**Monitors of the count
and contact details:** Amy Canton and Harrison Guy
405-522-4565 / executivelegislative@sos.ok.gov

Pursuant to the provisions of Title 34 O.S. Section 4, an individual from the petition drive must be present for the detaching of the signature pages and affidavits during the process of counting and binding the signature sheets.

As required by law, one copy of the proposed measure will be attached to each volume of signatures during the binding process. The detached sheets not attached to a volume will be placed in a recycle bin located in the counting room unless otherwise instructed by the proponents.

The observer appointed by the proponents of SQ781, shall not distract the signature count nor the staff performing such. Any questions he or she may have must be directed to the monitor(s) of the count. Monitors of the count are Amy Canton and Harrison Guy.

The counting process for SQ781 will begin after the completion of the physical count of SQ780. Once the SQ781 count begins, it will occur daily, Monday through Friday, 9:00 a.m. to 4:00 p.m., until the signature count is complete. There will be a one hour break for lunch from 12:00 p.m. to 1:00 p.m. daily. It is extremely important to remember that the observer must be present at all times during the detachment of the pamphlets, and seals on the boxes cannot be opened without his or her presence.



E. SCOTT PRUITT
ATTORNEY GENERAL

FILED

JUN 09 2016

OKLAHOMA SECRETARY
OF STATE

June 9, 2016

Chris Benge, Secretary of State
Office of the Secretary of State
2300 N. Lincoln Blvd., Room 101
Oklahoma City, Oklahoma 73105-4897

RE: Ballot Title for State Question No. 781, Initiative Petition No. 405

Dear Secretary Benge:

In accordance with the provisions of 34 O.S.Supp.2015, § 9(D)(1), we have reviewed the Proposed Ballot Title for the above-referenced State Question and conclude that it does **not** comply with applicable laws for the following reason.

It fails to explain in basic words the effect of the proposition because it does not explain that the Office of Management and Enterprise Services will be responsible for calculating the funds to be deposited in the County Community Safety Investment Fund and that these calculations will be based on actual data or best available estimates.

Having found that the ballot title does not comply with applicable laws, we will, in accordance with the provisions of 34 O.S.Supp.2015, §9(D)(1), within ten business days, prepare a ballot title which complies with the law and furnish a copy to you.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Pruitt", with a long horizontal line extending to the right.

E. Scott Pruitt
Attorney General



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

FILED

JUN 22 2016

OKLAHOMA SECRETARY
OF STATE

June 22, 2016

Chris Benge, Secretary of State
Office of the Secretary of State
2300 N. Lincoln Blvd., Room 101
Oklahoma City, Oklahoma 73105-4897

RE: Ballot Title for State Question No. 781, Initiative Petition No. 405

Dear Secretary Benge:

Having found that the Proposed Ballot Title for the above-referenced State Question did not comply with applicable laws, we have, in accordance with 34 O.S.Supp.2015, § 9(D)(1), prepared the following Ballot Title. The Ballot Title reads as follows:

BALLOT TITLE FOR STATE QUESTION NO. 781

This measure creates the County Community Safety Investment Fund (“Fund”), but only if voters also approve State Question 780, the Oklahoma Smart Justice Reform Act.

This measure presumes that the Oklahoma Smart Justice Reform Act will save the State money by making drug possession and certain property crimes misdemeanors instead of felonies. The measure requires the State’s Office of Management and Enterprise Services to use either actual data or its best estimate to determine how much money was saved on a yearly basis. The amount that is determined or estimated to have been saved must be deposited into the Fund and distributed to counties in proportion to their population to pay for rehabilitative programs like mental health and substance abuse treatment programs.

The measure does not identify a revenue source that will be used to pay the amount that is determined or estimated to have been saved. Payment into the Fund of this amount would be made from the

General Revenue Fund, the primary fund used to pay for state government.

SHALL THE MEASURE BE APPROVED?

FOR THE MEASURE – YES _____

AGAINST THE MEASURE – NO _____

A “YES” vote is a vote in favor of this measure. A “NO” vote is a vote against this measure.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "E. Scott Pruitt", with a long horizontal line extending to the right.

E. Scott Pruitt
Attorney General



FILED
SUPREME COURT
STATE OF OKLAHOMA

JUN 24 2016 Mary Fallin
Governor

MICHAEL S. RICHIE
CLERK

Chris Bengé
Secretary of State
and
Native American Affairs

OKLAHOMA SECRETARY OF STATE

#11511 4

June 24, 2016

HAND DELIVERED

Chief Justice John Reif
The Oklahoma Supreme Court
2100 N. Lincoln Blvd., Suite 1
Oklahoma City, Oklahoma 73105

RE: Certification of the Physical Signature Count - State Question 781, Initiative Petition 405

Dear Chief Justice Reif:

Pursuant to the provisions of Title 34 O.S., Sections 6.1 and 8, the Secretary of State certifies to the Supreme Court the following details:

- Fourteen (14) boxes of signature pamphlets, for State Question 781, Initiative Petition 405, were received by our office on June 2, 2016. Proponents terminated the signature circulation period early and filed accordingly a certification of such, with our office, on
 - June 2, 2016. The Secretary of State began the physical count of signatures on June 16, 2016 at 9:00 a.m. Said count was concluded on June 23, 2016 at 12:00 p.m.
- Individual signature sheets are page numbered 1 through 6,276 and bound in a total of 32 volumes. Volumes 1 through 31 contain 200 signature sheets per volume and Volume 32 contains a total 76 signature sheets.
- Page numbers 6,271 through 6,276 were not included in such physical count due to improper notarization.
- The Secretary of State certifies the total number of signatures counted for State Question 781, Initiative Petition 405 is **110,135**.
- The Secretary of State affirms the State Election Board has certified that a total of 824,831 votes were cast for the office of Governor at the General Election in November 2014.
- The Secretary of State also certifies that proponents' proposed ballot title was submitted to the Attorney General's office June 3, 2016. The Preliminary Ballot Title, as reviewed and rewritten by the Attorney General, was filed with our office June 22, 2016.

In support of the details so certified, please find enclosed the following documentation:

- Proponents' certification of early termination of signature circulation
- Copy of State Question 781, Initiative Petition 405
- Tabulation Sheets for SQ 781, IP 405
- Total votes cast as certified by Election Board (SOS Doc# 047220)
- Preliminary Ballot Title as reviewed and rewritten by the Attorney General's office

Please be advised that this office is prepared to provide the Court with additional information or assistance as needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Bengel". The signature is written in a cursive style with a large initial "C".

Chris Bengel
Secretary of State and
Native American Affairs

CERTIFICATE OF MAILING

I hereby certify that a true and accurate copy of the foregoing, SOS Certification of the Physical Signature Count of State Question 781, Initiative Petition 405 was hand delivered, on June 24, 2016 to the following party;

The Honorable E. Scott Pruitt
Oklahoma Attorney General
313 NE 21st Street
Oklahoma City, Oklahoma 73105

I also hereby certify that a true and accurate copy of the foregoing, SOS Certification of the Signature Count of State Question 781, Initiative Petition 405 was placed in USPS mail, regular first-class, on June 24, 2016, addressed to the following parties;

Kris Steele
1211 Cambridge Drive
Shawnee, OK 74804

Rev. George Young
2332 N.W. 121st Street
Oklahoma City, OK 73120

Tom Ward
19200 N. Rockwell
Edmond, OK 73012

COUNSEL FOR PROPONENTS

Melanie Wilson Rughani
Crowe & Dunlevy
Braniff Building
324 N. Robinson Ave., Ste. 100
Oklahoma City, Oklahoma 73102



Chris Bengé
Oklahoma Secretary of State and
Native American Affairs



June 2, 2016

The Honorable Chris Bengé
Oklahoma Secretary of State
2300 N. Lincoln Boulevard, Ste. 101
Oklahoma City, Oklahoma 73105-4897

FILED
JUN 02 2016
OKLAHOMA SECRETARY
OF STATE

Re: State Question No. 781, Initiative Petition No. 405

Dear Mr. Secretary:

Enclosed on behalf of Kris Steele, Tom Ward Rev. George Young, the proponents (“Proponents”) of State Question No. 781, Initiative Petition No. 405, please accept for filing 14 boxes of signature pamphlets in support of State Question No. 781, Initiative Petition No. 405.

Pursuant to 34 Okla.Stat. § 8(G), the Proponents hereby certify that:

1. All signed petitions have been filed with the Secretary of State;
2. No more petitions are in circulation; and
3. The Proponents will not circulate any more petitions.

Respectfully submitted,

D. Kent Meyers,
Roger A. Stong
Melanie Wilson Rughani

CROWE & DUNLEVY, A P.C.
Braniff Building
324 N. Robinson Ave., Ste. 100
Oklahoma City, OK 73102

Counsel for the Proponents

cc: Oklahoma Attorney General

A PROFESSIONAL CORPORATION

OKLAHOMA CITY • Braniff Building • 324 N. Robinson Ave., Ste. 100 • Oklahoma City, OK 73102 • T: 405.235.7700 • F: 405.239.6651
TULSA • 500 Kennedy Building • 321 S. Boston Ave. • Tulsa, OK 74103 • T: 918.592.9800 • F: 918.592.9801

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FILED

JAN 27 2016

OKLAHOMA SECRETARY
OF STATE

State Question No. 781, Initiative Petition No. 405

WARNING

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INITIATIVE PETITION

To the Honorable Mary Fallin, Governor of Oklahoma:

We, the undersigned legal voters of the State of Oklahoma, respectfully order that the following proposed law shall be submitted to the legal voters of the State of Oklahoma for their approval or rejection at the regular general election, to be held on the 8th day of November, 2016 (or at a special election as may be called by the Governor), and each for himself says: I have personally signed this petition; I am a legal voter of the State of Oklahoma; my residence or post office are correctly written after my name. The time for filing this petition expires ninety (90) days from March 10, 2016. The question we herewith submit to our fellow voters is:

Shall the following bill be approved?

An Act relating to the County Community Safety Investment Fund; stating factual findings and intent for Act; creating the County Community Safety Investment Fund; providing for the budgeting and disbursement of the funds therein by the Office of Management and Enterprise Services, to be used for county community rehabilitative programming; permitting the promulgation of rules for implementation; directing the annual calculation of savings from the Oklahoma Smart Justice Reform Act; providing for the appropriation and payment of such savings to the County Community Safety Investment Fund; specifying condition under which the Act shall cease to have the force of law; providing effective date; providing for severability.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. The people of the state of Oklahoma find the fact that Oklahoma has the second-highest overall incarceration rate in the country, and the highest incarceration rate for women, is inconsistent with Oklahoma values, and drains resources away from investments that can do more to promote public safety. Therefore, the people intend, in enacting this initiative measure, to implement criminal justice reforms that focus on treating the root causes of crime by increasing funding for rehabilitation services like drug and mental health treatment, job training, and education programs.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 631 of Title 57, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created in the State Treasury a revolving fund to be designated the "County Community Safety Investment Fund." The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received pursuant to Section 633 of Title 57 of the Oklahoma Statutes.

B. All monies appropriated and accruing to the credit of the fund shall be budgeted and expended by the Office of Management and Enterprise Services for the sole purpose of providing

funds to counties to provide community rehabilitative programming, including but not limited to mental health and substance abuse services. Funds shall be disbursed in proportion to county population, as reported in the most recent census.

C. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

D. The Director of the Office of Management and Enterprise Services shall promulgate rules necessary to implement the provisions of this act.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 632 of Title 57, unless there is created a duplication in numbering, reads as follows:

No later than July 31 of the year following the effective date of this Act, and no later than July 31 every year thereafter, the Office of Management and Enterprise Services shall calculate the savings and averted costs that accrued to the state from the implementation of the Oklahoma Smart Justice Reform Act. In making the calculation required by this section, the Office of Management and Enterprise Services shall use actual data or best available estimates where actual data is not available. The calculation shall be final and shall not be adjusted for any subsequent changes in the underlying data.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 633 of Title 57, unless there is created a duplication in numbering, reads as follows:

An amount equal to the savings calculated by the Office of Management and Enterprise Services pursuant to Section 632 of Title 57 shall, subject to appropriation by the Legislature, be paid to the County Community Safety Investment Fund.

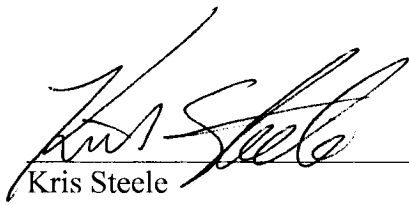
This section is intended to comply with, and is subject to, Article V, Section 55, Article VI, Section 12, Article X, Section 23, and the other applicable provisions of the Oklahoma Constitution.

SECTION 5. The provisions of this initiative shall not become effective if the Oklahoma Smart Justice Reform Act is not approved by the people of this State.

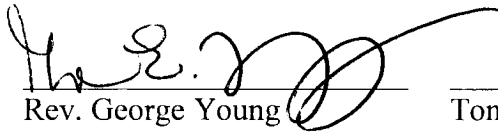
SECTION 6. This act shall become effective on July 1 immediately following its passage.

SECTION 7. The provisions hereof are severable, and if any part or provision hereof shall be void, invalid, or unconstitutional, the decision of the court so holding shall not affect or impair any of the remaining parts or provisions hereof, and the remaining provisions hereof shall continue in full force and effect.

Name and Address of Proponents



Kris Steele
1211 Cambridge Drive
Shawnee, OK 74804



Rev. George Young
2332 N.W. 121st Street
Oklahoma City, OK 73120



Tom Ward
19200 N. Rockwell
Edmond, OK 73012

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**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 1

Consisting of 200 signature sheets

Page numbered 1 through 200

with approximately 3,454 signatures

17• +
200•
6,454• *

17. +
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200.....
5,704. *

**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 2

Consisting of 200 signature sheets

Page numbered 201 through 400

with approximately 3,704 signatures

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..
3,671• *

STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405

VOLUME NO. 3

Consisting of 200 signature sheets

Page numbered 401 through 600

with approximately 3,671 signatures

20• +
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200• ..
3,572• *

**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 4

Consisting of 200 signature sheets

Page numbered 601 through 800

with approximately 3,572 signatures

**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405.**

VOLUME NO. 5

Consisting of 200 signature sheets

Page numbered 801 through 1,000

with approximately 3,642 signatures

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- 200.....
- 3,642. *

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200
3,529 *

**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 6

Consisting of 200 signature sheets

Page numbered 1,001 through 1,200

with approximately 3,529 signatures

18. +
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20. +
5,51 *
5,51 *

**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 8

Consisting of 200 signature sheets

Page numbered 1,401 through 1,600

with approximately 3,551 signatures

18. +
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**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 9

Consisting of 200 signature sheets

Page numbered 1,601 through 1,800

with approximately 3,224 signatures

20. +
19. +
18. +

2:10

35124 *
..

19. +
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**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 10

Consisting of 200 signature sheets

Page numbered 1,801 through 2,000

with approximately 3,542 signatures

200

3,542 *

3* +
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19* +
200* +
19430* *

**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 11

Consisting of 200 signature sheets

Page numbered 2,001 through 2,200

with approximately 3,430 signatures

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**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 13

Consisting of 200 signature sheets

Page numbered 2,401 through 2,600

with approximately 3,503 signatures

19 +
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6903 *

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**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 15

Consisting of 200 signature sheets

Page numbered 2,801 through 3,000

with approximately 3,675 signatures

200

3675 *

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**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 16

Consisting of 200 signature sheets

Page numbered 3,001 through 3,200

with approximately 3,782 signatures

200

5749 *

11 +
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**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 17

Consisting of 200 signature sheets

Page numbered 3,201 through 3,400

with approximately 3,398 signatures

200

5,000 *

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**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 18

Consisting of 200 signature sheets

Page numbered 3,401 through 3,600

with approximately 3,304 signatures

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**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 20

Consisting of 200 signature sheets

Page numbered 3,801 through 4,000

with approximately 3,640 signatures

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**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 21

Consisting of 200 signature sheets

Page numbered 4,001 through 4,200

with approximately 3,665 signatures

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**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 22

Consisting of 200 signature sheets

Page numbered 4,201 through 4,400

with approximately 3,665 signatures

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**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 23

Consisting of 200 signature sheets

Page numbered 4,401 through 4,600

with approximately 3,669 signatures

**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 24

Consisting of 200 signature sheets

Page numbered 4,601 through 4,800

with approximately 3,241 signatures

100 +
110 +
120 +
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190 +
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210 +
220 +
230 +
240 +
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5, 40• *

**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 25

Consisting of 200 signature sheets

Page numbered 4,801 through 5,000

with approximately 3,246 signatures

200

5, 40• *

20. +
20. +
19. +
19. +
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14. +
15. +
15. +
17. +
13. +
11. +
.
5551. *

**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 26

Consisting of 200 signature sheets

Page numbered 5,001 through 5,200

with approximately 3,561 signatures

18• +
13• +
9• +
15• +
8• +
8• +
18• +
8• +
9• +
17• +
20• +
5• +
19• +
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**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 27

Consisting of 200 signature sheets

Page numbered 5,201 through 5,400

with approximately 3,218 signatures

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15. +
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20. +
3,195. *

STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405

VOLUME NO. 28

Consisting of 200 signature sheets

Page numbered 5,401 through 5,600

with approximately 3,196 signatures

210

20. +
19. +
18. +
17. +
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13. +
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**STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405**

VOLUME NO. 31

Consisting of 200 signature sheets

Page numbered 6,001 through 6,200

with approximately 3,714 signatures

STATE QUESTION NO. 781
INITIATIVE PETITION NO. 405

VOLUME NO. 32

Consisting of 76 signature sheets

Page numbered 6,201 through 6,276

with approximately 1,015 signatures



Oklahoma State Election Board

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FILED

November 20, 2014

DEC 18 2014

OKLAHOMA SECRETARY
OF STATE

The Honorable Chris Benge
Secretary of State
Room 101, State Capitol
Oklahoma City, Oklahoma 73105

Dear Mr. Benge:

Subsequent to the November 4, 2014, General Election, I am able to provide the following information.

The total votes cast for the office of Governor at the General Election in 2014 were 824,831. Signature requirements for the types of petitions listed below are derived by applying the parenthetical percentages indicated and are valid from November 13, 2014, through November 13, 2018.

Referendum (5%).....	41,242
Initiative (8%).....	65,987
Initiative for Constitutional Change (15%).....	123,725
Rejected Initiative or Referendum Measures (25%).....	206,208

Signature requirements for certain types of petitions are based on the total votes cast in the last General Election for President. In the November 6, 2012, General Election, the total votes cast for Presidential Electors were 1,334,872. Signature requirements for the following types of petitions are derived by applying the parenthetical percentages indicated and are valid from November 14, 2012, through November 15, 2016.

Independent Presidential Electors (3%).....	40,047
Unrecognized Party Presidential Electors (3%).....	40,047

047220

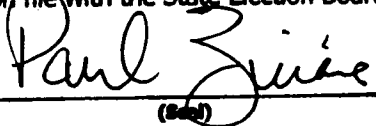
The signature requirement for a petition for formation of a new political party is based on the total votes cast in the last General Election either for Governor or for electors for President and Vice President. In the November 4, 2014, General Election, the total votes cast for Governor were 824,831. The signature requirement for the following petition is derived by applying the parenthetical percentage indicated and is valid from November 13, 2014, through November 15, 2016.

Formation of New Political Party (5%)41,242

Sincerely,

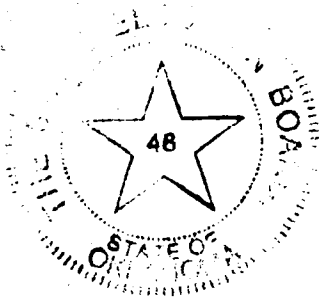

PAUL ZIRIAX, Secretary
State Election Board

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(848)

12-18-2014





OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

FILED

JUN 22 2016

OKLAHOMA SECRETARY
OF STATE

June 22, 2016

Chris Benge, Secretary of State
Office of the Secretary of State
2300 N. Lincoln Blvd., Room 101
Oklahoma City, Oklahoma 73105-4897

RE: Ballot Title for State Question No. 781, Initiative Petition No. 405

Dear Secretary Benge:

Having found that the Proposed Ballot Title for the above-referenced State Question did not comply with applicable laws, we have, in accordance with 34 O.S.Supp.2015, § 9(D)(1), prepared the following Ballot Title. The Ballot Title reads as follows:

BALLOT TITLE FOR STATE QUESTION NO. 781

This measure creates the County Community Safety Investment Fund (“Fund”), but only if voters also approve State Question 780, the Oklahoma Smart Justice Reform Act.

This measure presumes that the Oklahoma Smart Justice Reform Act will save the State money by making drug possession and certain property crimes misdemeanors instead of felonies. The measure requires the State’s Office of Management and Enterprise Services to use either actual data or its best estimate to determine how much money was saved on a yearly basis. The amount that is determined or estimated to have been saved must be deposited into the Fund and distributed to counties in proportion to their population to pay for rehabilitative programs like mental health and substance abuse treatment programs.

The measure does not identify a revenue source that will be used to pay the amount that is determined or estimated to have been saved. Payment into the Fund of this amount would be made from the

General Revenue Fund, the primary fund used to pay for state government.

SHALL THE MEASURE BE APPROVED?

FOR THE MEASURE – YES _____

AGAINST THE MEASURE – NO _____

A “YES” vote is a vote in favor of this measure. A “NO” vote is a vote against this measure.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "E. Scott Pruitt", with a long horizontal line extending to the right.

E. Scott Pruitt
Attorney General



IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

FILED
SUPREME COURT
STATE OF OKLAHOMA

JUL 6 2016

MICHAEL S. RICHIE
CLERK OF
THE APPELLATE COURTS

IN RE:)
INITIATIVE PETITION NO. 405,) No. 115,114
STATE QUESTION NO. 781.)

STATE OF OKLAHOMA, TO:
CHRIS BENGE, SECRETARY OF STATE, STATE OF OKLAHOMA

GREETINGS:

RECEIVED
JUL 07 2016
OKLAHOMA SECRETARY
OF STATE

ORDER

The Court recognizes the Secretary of State's certification of the physical signature count for Initiative Petition 405, State Question 781, filed in this cause pursuant to 34 O.S.Supp.2015 § 8. The total certified number of signatures counted is 110,135. The minimum number required is 65,987, which, according to the Oklahoma State Election Board, constitutes 8% of the total number of votes cast for the state office receiving the highest number of votes cast at the last general election. See 34 O.S.Supp.2015 § 8(H)(2). The signatures as certified thus appear to be numerically sufficient.

The Secretary of State is directed forthwith to cause to be published in at least one newspaper of general circulation in the State a notice of the filing of the signed petitions and their apparent sufficiency. The text of the ballot title as rewritten by the

Attorney General shall be included in the public notice, which shall also advise that any citizen or citizens of the State may file an objection to the count made by the Secretary of State, and that such objection must be effected by written notice to the Supreme Court, with copies of the filed objection sent to the proponents of the Initiative Petition. The notice shall further advise that any objection must be filed within ten (10) business days after publication and must relate only to the validity or number of the signatures or a challenge to the ballot title, and that copies of the objection to the count or ballot title shall be filed with the Supreme Court, the Attorney General and the Secretary of State. 34 O.S.Supp.2015 § 8(I).

The Secretary of State shall obtain verified proof of publication of the notice and cause the same to be filed with the Clerk of this Court as a return to this order.

DONE BY THE ORDER OF THE SUPREME COURT IN CONFERENCE
THIS 6TH DAY OF JULY, 2016.


VICE CHIEF JUSTICE

ALL JUSTICES CONCUR.



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THURSDAY, JULY 14, 2016

CLASSIFIEDS

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NOTICE OF THE FILING OF SIGNATURES AND THE NUMERICAL SUFFICIENCY THEREOF AND THE TEXT OF THE PRELIMINARY BALLOT TITLE AS REWRITTEN BY THE ATTORNEY GENERAL FOR STATE QUESTION NUMBER 781, INITIATIVE PETITION NUMBER 405 NOTICE is hereby given that on June 2, 2016 fourteen (14) boxes of signature pamphlets were received by the Office of the Secretary of State, from the proponents of record for

NOTICE OF THE FILING OF SIGNATURES AND THE NUMERICAL SUFFICIENCY THEREOF AND THE TEXT OF THE PRELIMINARY BALLOT TITLE AS REWRITTEN BY THE ATTORNEY GENERAL FOR STATE QUESTION NUMBER 780, INITIATIVE PETITION NUMBER 404 NOTICE is hereby given that on June 2, 2016 thirty-three (33) boxes of signature pamphlets were received by the office of the Secretary of State, from the proponents of record for

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CATEGORIES

ANIMALS

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Cattle & Livestock (5) (/classifieds/2016-07-14/animals/cattle-and-livestock/2016-07-14)

State Question 781, Initiative Petition 405. NOTICE is also hereby given that in accordance with Title 34 O.S., Supp. 2015 ? 8 and by order of the Supreme Court of Oklahoma, the Court recognizes the certification of the Secretary of State that the petition contains 110,135 signatures. The court further recognizes that the number of signatures necessary to place the measure before the electorate is 65,987, being 8% of the votes cast for the office of Governor at the General Election in November 2014. The signatures on the petition appear numerically sufficient. NOTICE is likewise, hereby given that any citizen or citizens of the state may file an objection, relating only to the signature count made by the Secretary of State or the Preliminary Ballot Title as rewritten by the Attorney General, within ten (10) business days of the date of this publication, by a written notice to the Clerk of the Oklahoma Supreme Court and a copy directed to the proponents of the petition and the Attorney General. Also, a copy of any such objection shall be filed with the Secretary of State. Proceedings in the Supreme Court to resolve a protest or objection shall be in accordance with Title 34 O.S., Supp. 2015 ?? 8-11, and such other procedures as may be ordered by the Court. Proponents of record for State Question 781, Initiative Petition 405: Kris

State Question 780, Initiative Petition 404. NOTICE is also hereby given that in accordance with Title 34 O.S., Supp. 2015 ? 8 and by order of the Supreme Court of Oklahoma, the Court recognizes the certification of the Secretary of State that the petition contains 111,159 signatures. The court further recognizes that the number of signatures necessary to place the measure before the electorate is 65,987, being 8% of the votes cast for the office of Governor at the General Election in November 2014. The signatures on the petition appear numerically sufficient. NOTICE is likewise, hereby given that any citizen or citizens of the state may file an objection, relating only to the signature count made by the Secretary of State or the Preliminary Ballot Title as rewritten by the Attorney General, within ten (10) business days of the date of this publication, by a written notice to the Clerk of the Oklahoma Supreme Court and a copy directed to the proponents of the petition and the Attorney General. Also, a copy of any such objection shall be filed with the Secretary of State. Proceedings in the Supreme Court to resolve a protest or objection shall be in accordance with Title 34 O.S., Supp. 2015 ?? 8-11, and such other procedures as may be ordered by the Court. Proponents of record for State Question 780, Initiative Petition 404: Kris

Dogs (101) (/classifieds/2016-07-14/animals/dogs/2016-07-14)

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Hay Grain Feed & Seed (1) (/classifieds/2016-07-14/animals/hay-grain-feed-and-seed/2016-07-14)

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Auto Parts Tires Accessories (7) (/classifieds/2016-07-14/automotive-parts-and-service/auto-parts-tires-access/2016-07-14)

AUTOMOTIVE

BMW (2) (/classifieds/2016-07-14/automotive/bmw/2016-07-14)

Steele 1211 Cambridge Drive Shawnee, OK
 OK 74804 Rev. George Young 2332 N.W.
 121st Street Oklahoma City, OK 73120
 Tom Ward 19200 N. Rockwell Edmond,
 OK 73012 PRELIMINARY BALLOT TITLE
 FOR SQ 781, as rewritten by the Attorney
 General This measure creates the County
 Community Safety Investment Fund (?
 Fund?), but only if voters also approve
 State Question 780, the Oklahoma Smart
 Justice Reform Act. This measure
 presumes that the Oklahoma Smart Justice
 Reform Act will save the State money by
 making drug possession and certain
 property crimes misdemeanors instead of
 felonies. The measure requires the State's
 Office of Management and Enterprise
 Services to use either actual data or its
 best estimate to determine how much
 money was saved on a yearly basis. The
 amount that is determined or estimated to
 have been saved must be deposited into
 the Fund and distributed to counties in
 proportion to their population to pay for
 rehabilitative programs like mental health
 and substance abuse treatment programs.
 The measure does not identify a revenue
 source that will be used to pay the amount
 that is determined or estimated to have
 been saved. Payment into the Fund of this
 amount would be made from the General
 Revenue Fund, the primary fund used to
 pay for state government. SHALL THE

Stelle 1211 Cambridge Drive Shawnee, OK
 74804 Rev. George Young 2332 N.W.
 121st Street Oklahoma City, OK 73120
 Tom Ward 19200 N. Rockwell Edmond,
 OK 73012 PRELIMINARY BALLOT TITLE
 FOR SQ 780, as rewritten by the Attorney
 General This measure changes state law
 to reduce the punishments for drug
 possession and certain property offenses.
 Under current law, drug possession is a
 felony when, for example: •The drug is one
 that has a high potential for abuse; • The
 person possessing the drug has a prior
 conviction for drug possession; • The
 person possessed the drug within 1,000
 feet of a public or private school or public
 park; or • The person possessed the drug
 in the presence of a child under the age of
 twelve. If voters approve this measure,
 these sorts of drug possession crimes
 would be misdemeanors instead of
 felonies. The measure also changes the
 law for certain property crimes like, grand
 larceny, embezzlement, and writing two or
 more bogus checks. Under current law, if
 the value of the property involved in those
 crimes is more than \$500, the crime is a
 felony. If it is less than \$500, the crime is a
 misdemeanor. This measure would raise
 the amount to \$1,000, so that any crime
 involving less than \$1,000 worth of
 property would be a misdemeanor, rather
 than a felony. SHALL THE PROPOSAL BE

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 14/automotive/buick/2016-07-14)
 Cadillac (26) (/classifieds/2016-07-
 14/automotive/cadillac/2016-07-14)
 Chevrolet (40) (/classifieds/2016-07-
 14/automotive/chevrolet/2016-07-14)
 Chrysler (4) (/classifieds/2016-07-
 14/automotive/chrysler/2016-07-14)
 Commercial Trucks (2) (/classifieds/2016-07-
 14/automotive/commercial-trucks/2016-07-14)
 Dodge (12) (/classifieds/2016-07-
 14/automotive/dodge/2016-07-14)
 Fiat (1) (/classifieds/2016-07-
 14/automotive/fiat/2016-07-14)
 Ford (29) (/classifieds/2016-07-
 14/automotive/ford/2016-07-14)
 Honda (9) (/classifieds/2016-07-
 14/automotive/honda/2016-07-14)
 Hummer (2) (/classifieds/2016-07-
 14/automotive/hummer/2016-07-14)
 Hyundai (14) (/classifieds/2016-07-
 14/automotive/hyundai/2016-07-14)

PROPOSAL BE APPROVED? FOR THE MEASURE - YES AGAINST THE MEASURE - YES AGAINST THE MEASURE - NO A ?YES? vote is a vote in favor of this measure. A ?NO? vote is a vote against this measure. DONE, BY ORDER OF THE SUPREME COURT THIS 11th DAY OF JULY, 2016. Chris Benge Oklahoma Secretary of State and Native American Affairs

APPROVED? FOR THE MEASURE - YES AGAINST THE MEASURE - NO A ?YES? vote is a vote in favor of this measure. A ?NO? vote is a vote against this measure. DONE, BY ORDER OF THE SUPREME COURT THIS 11th DAY OF JULY, 2016. Chris Benge Oklahoma Secretary of State and Native American Affairs

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267743

Published in the Tulsa World, Tulsa County, Oklahoma, July 14, 2016

NOTICE OF THE FILING OF SIGNATURES AND THE NUMERICAL SUFFICIENCY THEREOF AND THE TEXT OF THE PRELIMINARY BALLOT TITLE AS REWRITTEN BY THE ATTORNEY GENERAL FOR STATE QUESTION NUMBER 781, INITIATIVE PETITION NUMBER 405 NOTICE is hereby given that on June 2, 2016 fourteen (14) boxes of signature pamphlets were received by the Office of the Secretary of State, from the proponents of record for State Question 781, Initiative Petition 405. NOTICE is also hereby given that in accordance with Title 34 O.S., Supp. 2015 § 8 and by order of the Supreme Court of Oklahoma, the Court recognizes the certification of the Secretary of State that the petition contains 110,135 signatures. The court further recognizes that the number of signatures necessary to place the measure before the electorate is 65,987, being 8% of the votes cast for the office of Governor at the General Election in November 2014. The signatures on the petition appear numerically sufficient. NOTICE is likewise, hereby given that any citizen or citizens of the state may file an objection, relating only to the signature count made by the Secretary of State or the Preliminary Ballot Title as rewritten by the Attorney General, within ten (10) business days of the date of this publication, by a written notice to the Clerk of the Oklahoma Supreme Court and a copy directed to the proponents of the petition and the Attorney General. Also, a copy of any such objection shall be filed with the Secretary of State. Proceedings in the Supreme Court to resolve a protest or objection shall be in accordance with Title 34 O.S., Supp. 2015 §§ 8-11, and such other procedures as may be ordered by the Court. Proponents of record for State Question 781, Initiative Petition 405: Kris Steele 1211 Cambridge Drive Shawnee, OK 74804 Rev. George Young 2332 N.W. 121st Street Oklahoma City, OK 73120 Tom Ward 19200 N. Rockwell Edmond, OK 73012 PRELIMINARY BALLOT TITLE FOR SQ 781, as rewritten by the Attorney General This measure creates the County Community Safety Investment Fund ("Fund"), but only if voters also approve State Question 780, the Oklahoma Smart Justice Reform Act.

This measure presumes that the Oklahoma Smart Justice Reform Act will save the State money by making drug possession and certain property crimes misdemeanors instead of felonies. The measure requires the State's Office of Management and Enterprise Services to use either actual data or its best estimate to determine how much money was saved on a yearly basis. The amount that is determined or estimated to have been saved must be deposited into the Fund and distributed to counties in proportion to their population to pay for rehabilitative programs like mental health and substance abuse treatment programs.

The measure does not identify a revenue source that will be used to pay the amount that is determined or estimated to have been saved. Payment into the Fund of this amount would be made from the General Revenue Fund, the

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primary fund used to pay for state government. SHALL THE PROPOSAL BE APPROVED? FOR THE MEASURE - YES _____ AGAINST THE MEASURE - NO _____ A "YES" vote is a vote in favor of this measure. A "NO" vote is a vote against this measure. DONE, BY ORDER OF THE SUPREME COURT THIS 11th DAY OF JULY, 2016. Chris Bengé Oklahoma Secretary of State and Native American Affairs

Location: 135 Signatures. The Court

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IN THE SUPREME COURT OF THE STATE OF OKLAHOMA JUL 20 2016

MICHAEL S. RICHIE
CLERK

KRIS STEELE, REV. DR. GEORGE E. YOUNG,)
TOM WARD and OKLAHOMANS FOR)
CRIMINAL JUSTICE REFORM, INC.,)

Petitioners,)

v.)

THE HONORABLE SCOTT PRUITT, ATTORNEY)
GENERAL OF OKLAHOMA,)

Respondent.)

#115190
Case No. _____

**PETITIONERS' APPLICATION TO ASSUME ORIGINAL JURISDICTION
AND COMBINED PETITION TO REVIEW THE BALLOT TITLES OF
INITIATIVE PETITIONS 404 AND 405**

D. KENT MEYERS, OBA #6168
MELANIE WILSON RUGHANI, OBA #30421
PAIGE MASTERS, OBA #31142
CROWE & DUNLEVY
A Professional Corporation
Braniff Building
324 N. Robinson Ave., Suite 100
Oklahoma City, Oklahoma 73102
(405) 235-7700
(405) 239-6651 (Facsimile)
kent.meyers@crowedunlevy.com
melanie.rughani@crowedunley.com
paige.masters@crowedunlevy.com

July 20, 2016

ATTORNEYS FOR PETITIONERS

Petitioners, Kris Steele, Rev. Dr. George E. Young, Tom Ward, and Oklahomans for Criminal Justice Reform, Inc. (collectively, “Proponents”), respectfully request that the Court assume original jurisdiction to review the ballot titles of Initiative Petition No. 404, State Question 780, and Initiative Petition No. 405, State Question 781 (collectively, “the ballot titles”). As shown in the brief supporting this application, the ballot titles prepared by the Attorney General are misleading, contain improper argument and express partiality, and are otherwise statutorily invalid. Proponents thus respectfully request that the Court accept its substitute ballot titles or prepare its own in compliance with 34 O.S. § 9.

PARTIES

1. Oklahomans for Criminal Justice Reform, Inc. is a non-profit corporation incorporated with the Secretary of State of the State of Oklahoma and having its headquarters at 1330 North Classen, Suite G20, Oklahoma City, Oklahoma 73106. Oklahomans for Criminal Justice Reform is a bipartisan coalition of community leaders and experts from across the state, including prominent faith leaders, law enforcement officers, elected officials, health professionals, and business leaders, all working to pass Initiative Petitions 404 and 405 in an effort to reduce the prison population, save money, and make Oklahoma communities safer by addressing the root causes of crime and helping people who have committed low-level offenses to return to productive lives in the community. *See* <https://www.okjusticereform.org/who-we-are/>.
2. Petitioner Kris Steele, former Speaker of the House of Representatives of the State of Oklahoma and citizen and registered voter of Pottawatomie County, Oklahoma, signed Initiative Petitions 404 and 405 as a Proponent.
3. Petitioner Rev. Dr. George E. Young, Sr., State Representative for District 99 and citizen and registered voter of Oklahoma County, Oklahoma, signed Initiative Petitions 404 and 405 as a Proponent.

4. Petitioner Tom Ward, Chairman and CEO of Tapstone Energy and citizen and registered voter of Oklahoma County, Oklahoma, signed Initiative Petitions 404 and 405 as a Proponent.

5. The Honorable Scott Pruitt, Attorney General of Oklahoma, prepared the ballot titles at issue in this appeal, and is named as a party to this action pursuant to 34 O.S. § 11. *See In re Initiative Petition No. 397*, 2014 OK 23, ¶ 34, 326 P.3d 496.

THE COURT'S JURISDICTION

A. Procedure for Challenging a Ballot Title

Title 34, Section 10 provides that “[a]ny person who is dissatisfied with the wording of a ballot title may, within ten (10) business days after the same is published by the Secretary of State as provided in subsection I of Section 8 of this title, appeal to the Supreme Court by petition in which shall be offered a substitute ballot title for the one from which the appeal is taken.” 34 O.S. § 10(A); *see also id.* § 8(I). “Upon the hearing of such an appeal, the court may correct or amend the ballot title before the court, or accept the substitute suggested, or may draft a new one which will conform to the provisions of Section 9 of this title.” *Id.* § 10(A).

B. Jurisdictional Facts

1. Initiative Petitions 404 and 405 were filed with the Oklahoma Secretary of State on January 27, 2016. App. Tabs 1 and 2. Along with this filing, Proponents also filed proposed ballot titles for each measure. App. Tabs 3 and 4.
2. The Initiative Petitions drew no challenges to their legal sufficiency within the specified statutory protest period; accordingly, they were circulated throughout the state for signature.
3. On June 2, 2016, Proponents filed the signed petitions with the Secretary of State. App. Tabs 9 and 10.
4. As required by statute, the Secretary of State submitted the proposed ballot titles to the Attorney General for review. On June 9, 2016, the Attorney General notified the Secretary

of State that, in his view, the proposed ballot titles did not comply with the law and he would thus be submitting an alternate ballot title. App. Tabs 5 and 6. On June 22, the Attorney General submitted his alternate ballot titles. App. Tabs 7 and 8.

5. On July 6, 2016, this Court determined that the signed petitions appeared to be numerically sufficient and ordered that the Secretary of State publish notices of this apparent sufficiency and the text of the ballot titles in at least one publication of general statewide circulation. The Notices were published on July 14, 2016. App. Tab 13. Pursuant to state law, the Notices provided that any citizen may file an objection to the ballot titles within 10 business days of publication.
6. The 10-business-day period for filing a challenge to the ballot titles expires on July 28, 2016. This Petition is filed within the statutory deadline.
7. The Proponents are citizens of this State qualified to protest the ballot titles.
8. This Court's jurisdiction to review a challenge to the ballot titles is set forth in 34 O.S. § 10 and 11.

PETITION TO REVIEW BALLOT TITLES

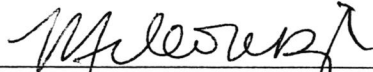
As explained in the brief in support of this Application and Petition, filed concurrently herewith, the ballot titles prepared by the Attorney General are clearly deficient in several ways: their descriptions of the propositions by way of selective, unrepresentative, and emotionally charged examples are misleading; they contain improper argument; their language and composition express partiality against the measures; and they exceed the statutory word limits.

Pursuant to 34 O.S. § 10(A), the Proponents submit substitute ballot titles that comply with the law. Copies of these proposed ballot titles are attached to this petition for review.

CONCLUSION

Proponents respectfully request that this Court assume original jurisdiction of this matter and, for the reasons set forth in the Brief in Support, find that the Attorney General’s ballot titles for Initiative Petitions 404 and 405 are deficient, and direct that Proponents’ substitute ballot titles be adopted or prepare its own in compliance with 34 O.S. § 9(B).

Respectfully submitted,



D. KENT MEYERS, OBA #6168
MELANIE WILSON RUGHANI, OBA #30421
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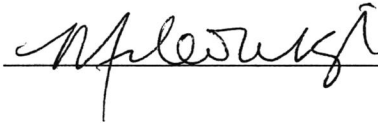
ATTORNEYS FOR PETITIONERS

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of July, 2016, a true and correct copy of the above and foregoing was served by U.S. mail, postage prepaid, on the following:

The Honorable Scott Pruitt
Attorney General of Oklahoma
313 Northeast 21st Street
Oklahoma City, Oklahoma 73105

The Honorable Chris Benge
Oklahoma Secretary of State
101 State Capitol
2300 North Lincoln Blvd.
Oklahoma City, Oklahoma 73105



FILED

JAN 27 2016

OKLAHOMA SECRETARY
OF STATE

PROPOSED BALLOT TITLE

This measure amends statutes to reform criminal sentences for certain property and drug offenses. It makes certain property offenses misdemeanors. It makes simple drug possession a misdemeanor. Property offenses where the value of the property is one thousand dollars or more remain felonies, and the distribution, possession with intent to distribute, transportation with intent to distribute, manufacture, or trafficking of drugs remain felonies.

Shall the proposal be approved?

For the proposal - YES

Against the proposal - NO

A "YES" vote is a vote in favor of this measure. A "NO" vote is a vote against this measure.

FILED

JAN 27 2016

OKLAHOMA SECRETARY
OF STATE

PROPOSED BALLOT TITLE

This measure creates the County Community Safety Investment Fund. The fund consists of costs saved by reclassifying as misdemeanors certain property crimes and drug possession. The funds must be distributed to counties for the purpose of funding rehabilitative programs, such as mental health and substance abuse treatment programs. This measure only becomes effective if voters approve State Question ~~780~~ the Oklahoma Smart Justice Reform Act.

Shall the proposal be approved?

For the proposal - YES

Against the proposal - NO

A "YES" vote is a vote in favor of this measure. A "NO" vote is a vote against this measure.

2016 OK 87

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

KRIS STEELE, REV. DR. GEORGE E. YOUNG,)
TOM WARD and OKLAHOMANS FOR)
CRIMINAL JUSTICE REFORM, INC.,)

Petitioners,)

vs.)

THE HONORABLE SCOTT PRUITT, ATTORNEY)
GENERAL OF OKLAHOMA,)

Respondent.)

FILED
SUPREME COURT
STATE OF OKLAHOMA

AUG 8 2016

MICHAEL S. RICHIE
CLERK OF
THE APPELLATE COURTS

No. 115,190

FOR OFFICIAL
PUBLICATION

**ORIGINAL PROCEEDING TO DETERMINE THE SUFFICIENCY OF THE
REWRITTEN BALLOT TITLES FOR INITIATIVE PETITION NO. 404, STATE
QUESTION 780 AND INITIATIVE PETITION NO. 405, STATE QUESTION 781**

¶0 The Petitioners filed an original proceeding to challenge the sufficiency of the Attorney General’s rewritten ballot titles for Initiative Petition No. 404, State Question 780 and Initiative Petition No. 405, State Question 781. We hold there are deficiencies in both the proposed and rewritten ballot titles. We hereby amend the ballot titles pursuant to 34 O.S. Supp. 2015, § 10.

**APPLICATION TO ASSUME ORIGINAL JURISDICTION IS GRANTED;
BALLOT TITLES DECLARED DEFICIENT AND ARE HEREBY AMENDED
BY THIS COURT PURSUANT TO TITLE 34 O.S. SUPP. 2015, § 10**

D. Kent Meyers, Melanie Wilson Rughani, and Paige Masters, Crowe & Dunlevy, Oklahoma City, Oklahoma, for Petitioners.

RECEIVED

AUG 09 2016

OKLAHOMA SECRETARY
OF STATE

Cara N. Rodriguez, General Counsel and Sarah A. Greenwalt, Assistant Solicitor General, Office of the Attorney General, Oklahoma City, Oklahoma, for Respondent.

COMBS, V.C.J.:

FACTS AND PROCEDURAL HISTORY

¶1 On January 27, 2016, the proponents of Initiative Petition No. 404, State Question 780 and Initiative Petition No. 405, State Question 781, Kris Steele, Rev. Dr. George E. Young, Sr., Tom Ward, and Oklahomans for Criminal Justice Reform, Inc. (collectively Petitioners), filed both petitions and their ballot titles with the Secretary of State pursuant to 34 O.S. Supp. 2015, § 8 (A).

The ballot titles read as follows:

The Petitioners' Original Filed Ballot Titles (January 27, 2016):

Initiative Petition No. 404:

This measure amends statutes to reform criminal sentences for certain property and drug offenses. It makes certain property offenses misdemeanors. It makes simple drug possession a misdemeanor. Property offenses where the value of the property is one thousand dollars or more remain felonies, and the distribution, possession with intent to distribute, transportation with intent to distribute, manufacture, or trafficking of drugs remain felonies.

Initiative Petition No. 405:

This measure creates the County Community Safety Investment Fund. The fund consists of costs saved by reclassifying as misdemeanors certain property crimes and drug possession. The funds must be distributed to counties for the purpose of funding rehabilitative

programs, such as mental health and substance abuse treatment programs. This measure only becomes effective if voters approve State Question 780 the Oklahoma Smart Justice Reform Act.

¶2 Neither petition was challenged pursuant to 34 O.S. Supp. 2015, § 8 (C) and accordingly, both were circulated throughout the state for signatures. On June 2, 2016, the Petitioners filed their signed petitions with the Secretary of State. Thereupon, the Secretary of State submitted a copy of the Petitioners' proposed ballot titles to the Attorney General, Scott Pruitt (Respondent), pursuant to 34 O.S. Supp. 2015, §§ 8 (H) and 9 (D), for his review of their legal correctness. On June 9, 2016, the Respondent notified the Secretary of State that the ballot titles did not comply with the law and he would submit alternate ballot titles. The Respondent had the following issues with the Petitioners' ballot titles:

Initiative Petition 404 Ballot Title¹:

It fails to explain in basic words the effect of the proposition because:

1. It fails to explain that distinctions within simple drug possession charges are no longer made based on the type of drug possessed.
2. It fails to explain that enhancements based on the number of possession offenses and on the location of the offense have been removed.
3. It fails to state that the value of the property for the identified felony property offenses increased from \$500 to \$1000.

¹ Letter dated June 9, 2016, from the Attorney General to the Secretary of State; Appendix to the Petitioners' Application to Assume Original Jurisdiction and Combined Petition to Review the Ballot Titles of Initiative Petitions 404 and 405, Appendix 5.

Initiative Petition 405 Ballot Title²:

It fails to explain in basic words the effect of the proposition because it does not explain that the Office of Management and Enterprise Services will be responsible for calculating the funds to be deposited in the County Community Safety Investment Fund and that these calculations will be based on actual data or best available estimates.

¶3 On June 22, 2016, the Respondent submitted the following rewritten

ballot titles:

AG Rewritten Initiative Petition 404 Ballot Title:

This measure changes state law to reduce the punishments for drug possession and certain property offenses.

Under current law, drug possession is a felony when, for example:

- The drug is one that has a high potential for abuse;
- The person possessing the drug has a prior conviction for drug possession;
- The person possessed the drug within 1,000 feet of a public or private school or public park; or
- The person possessed the drug in the presence of a child under the age of twelve.

If voters approve this measure, these sorts of drug possession crimes would be misdemeanors instead of felonies.

The measure also changes the law for certain property crimes like grand larceny, embezzlement, and writing two or more bogus checks. Under current law, if the value of the property involved in those crimes is more than \$500, the crime is a felony. If it is less than \$500, the crime is a misdemeanor. This measure would raise

² Letter dated June 9, 2016, from the Attorney General to the Secretary of State; Appendix to the Petitioners' Application to Assume Original Jurisdiction and Combined Petition to Review the Ballot Titles of Initiative Petitions 404 and 405, Appendix 6.

that amount to \$1000, so that any crime involving less than \$1000 worth of property would be a misdemeanor, rather than a felony.

AG Rewritten Initiative Petition 405 Ballot Title:

This measure creates the County Community Safety Investment Fund ("Fund"), but only if voters also approve State Question 780, the Oklahoma Smart Justice Reform Act.

This measure presumes that the Oklahoma Smart Justice Reform Act will save the State money by making drug possession and certain property crimes misdemeanors instead of felonies. The measure requires the State's Office of Management and Enterprise Services to use either actual data or its best estimate to determine how much money was saved on a yearly basis. The amount that is determined or estimated to have been saved must be deposited into the Fund and distributed to counties in proportion to their population to pay for rehabilitative programs like mental health and substance abuse treatment programs.

The measure does not identify a revenue source that will be used to pay the amount that is determined or estimated to have been saved. Payment into the Fund of this amount would be made from the General Revenue Fund, the primary fund used to pay for state government.

¶4 On July 6, 2016, this Court, pursuant to 34 O.S. Supp. 2015, § 8 (H), determined the signed petitions appeared to be numerically sufficient and ordered the Secretary of State to publish the notice required by 34 O.S. Supp. 2015, § 8 (I), informing the public that an objection may be filed.³ The Secretary of State, on July 14, 2016, published the required notices. On

³ Case No. 115,113 (Initiative Petition 404) and Case No. 115,114 (Initiative Petition 405).

July 20, 2016, the Petitioners filed their application to assume original jurisdiction to object to the rewritten ballot titles for Initiative Petition 404, State Question 780 and Initiative Petition 405, State Question 781, pursuant to 34 O.S. Supp. 2015, § 8 (I).

STANDARD OF REVIEW

¶5 The ballot title must reflect the character and purpose of the measure and not be deceptive or misleading. *In re Initiative Petition No. 360, State Question No. 662*, 1994 OK 97, ¶25, 879 P.2d 810. The test is whether it is written so that voters are afforded an opportunity to fairly express their will and whether it appraises voters with substantial accuracy what they are asked to approve. *In re Initiative Petition No. 360, State Question No. 662*, 1994 OK 97 at ¶25.

ARGUMENTS AND ANALYSIS

¶6 The Petitioners assert both rewritten ballot titles misrepresent the effect of the measures and are contrary to 34 O.S. Supp. 2015, § 9's prohibition on partiality and argument. Section 9 provides various requirements which must be met before the ballot title may be submitted to a vote of the people.⁴ These requirements include: a ballot title shall use basic

⁴ Title 34 O.S. Supp. 2015, § 9 (B) provides:

words of general usage, shall not contain words with special meaning not commonly known, and shall not reflect partiality in its composition or contain any argument for or against the measure. Title 34 O.S. Supp. 2015, § 9 (B) (4). A person who is dissatisfied with the wording of a ballot title may appeal to this Court by petition and offer a substitute ballot title. 34 O.S. Supp. 2015, § 10. Upon review by this Court, we may correct or amend the ballot title, accept the substitute ballot title, or draft a new ballot title conforming to 34 O.S. Supp. 2015, § 9. *Id.*

I. Initiative Petition 404

¶7 The Petitioners first challenge Initiative Petition 404's rewritten ballot title. They assert the Respondent's version is misleading

B. The parties submitting the measure shall also submit a suggested ballot title to the Secretary of State which shall be filed on a separate sheet of paper and shall not be part of or printed on the petition. The suggested ballot title:

1. Shall not exceed two hundred (200) words;
2. Shall explain in basic words, which can be easily found in dictionaries of general usage, the effect of the proposition;
3. Shall not contain any words which have a special meaning for a particular profession or trade not commonly known to the citizens of this state;
4. Shall not reflect partiality in its composition or contain any argument for or against the measure;
5. Shall contain language which clearly states that a "yes" vote is a vote in favor of the proposition and a "no" vote is a vote against the proposition; and
6. Shall not contain language whereby a "yes" vote is, in fact, a vote against the proposition and a "no" vote is, in fact, a vote in favor of the proposition.

and fails to adequately explain the effect of the proposition. Section 3 of Initiative Petition 404 amends 63 O.S. Supp. 2012, § 2-402, a section of law concerning various crimes and punishments related to controlled dangerous substances. The section changes the classification of certain crimes from felonies to misdemeanors. The Petitioners argue the rewritten ballot title focuses on only portions of the law which evoke emotionally charged responses and uses other terms of art which are misleading and may not be well understood by the citizenry. Specifically, they allege the Respondent's rewritten ballot title focuses on isolated unrepresentative examples selected to appeal to public emotion and fear, then vaguely states "these sorts of drug possession crimes would be misdemeanors instead of felonies." These examples include possessing drugs within 1000 feet of a public or private school or public park and possessing drugs in the presence of children under the age of twelve. The Petitioners note that the current law applies to more than just public and private schools and public parks. It applies to "public or private elementary or secondary school, public vocational school, public or private college or university, or other institution of higher education, recreation center or public park, including state parks and recreation areas." 63 O.S. Supp. 2012, § 2-402 (C). Emphasizing one aspect of the law over the others they claim is meant to cause fear. They assert, under current law a

college student found with marijuana or Adderall, without a prescription, would also be convicted under the same felony. The Petitioners argue that the complete omission of these far more problematic examples while including two examples focused on drugs and children is misleading. They cite *In re Initiative Petition No. 384*, 2007 OK 48, ¶12, 164 P.3d 125, for comparison. In that case, this Court reviewed the “gist” of a measure rather than the ballot title. We found the inclusion of one item in the gist in great detail while failing to mention another important item did not provide sufficient information for a potential signatory to make an informed decision. *In re Initiative Petition No. 384*, 2007 OK 48 at ¶12. We held the “cut and paste” approach resulted in a “gist that, at once, contains too much and not enough information.” *Id.*

¶8 The Petitioners also assert the Respondent’s statement that “[t]he drug is one that has a high potential for abuse” includes a term of art (“high potential for abuse”) used in the medical and legal fields to classify controlled substances (Schedule I-Schedule V) for purposes of differing treatment. It also contains an emotionally laden word “abuse” which they assert carries a number of other connotations and may be misunderstood. The Petitioners note that 34 O.S. Supp. 2015, § 9 expressly forbids the use

of terms which “have a special meaning for a particular profession” and their statement violates this provision.

¶9 The Petitioners argue that in addition to describing the terms of this section of the initiative petition with selective examples it also uses a completely subjective catch-all description, “these sorts of drug possession crimes” which fails to apprise voters with substantial accuracy what they are asked to approve.” *Citing Initiative Petition No. 360*, 1994 OK 97, ¶25, 879 P.2d 810.⁵ The basic effect of this amendment that, “simple drug possession would become a misdemeanor rather than a felony in all cases,” was never mentioned by the Respondent. The Petitioners also note the rewritten ballot title does not mention other offenses, such as possession with intent to distribute, transportation with intent to distribute, distribution or manufacture of such drugs, will remain felonies under the proposal.

⁵ In *Initiative Petition No. 360*, 1994 OK 97, ¶25, 879 P.2d 810, this Court held:

Normally, where the ballot title submitted by the Attorney General is found sufficient it is generally used regardless of the sufficiency of those submitted by other parties. In re Initiative Petition No. 347, *supra*, 813 P.2d at 1032. However, the basic statutory requirements of § 9 must be met and we have outlined the requirements of a ballot title in previous cases. *Id*; *Arthur v. City of Stillwater*, 611 P.2d 637, 643 (Okla. 1980). These cases provide the title must be in a form to allow a voter to reach an informed decision on whether to approve or disapprove the measure. The question must be specific, but it is not required to contain the proposition from beginning to end. The title must reflect the character and purpose of the measure and it must not be deceptive or misleading. It must also be free from uncertainty and ambiguity. The test is whether the title is couched in such a way that voters are afforded an opportunity to fairly express their will, and whether the question is sufficiently definite to apprise voters with substantial accuracy what they are asked to approve.

¶10 The Petitioners assert similar arguments against the Respondent's description involving property crimes. They note the rewritten ballot title selects specific property crimes, e.g., grand larceny, embezzlement and writing two or more bogus checks, and states "any crime involving less than \$1000 worth of property would be a misdemeanor, rather than a felony." Petitioner points out that this is incorrect. Such crimes like theft of a car or automotive vehicle (21 O.S. § 1720), theft of a house (21 O.S. § 1723) and theft of certain domestic animals or livestock (21 O.S. § 1716) will remain felonies. They assert the Respondent's description is inaccurate and misleading and fails to meet the requirements of 34 O.S. Supp. 2015, § 9.

¶11 The Respondent asserts because of the 200-word limitation on the number of words in a ballot title, it is required to summarize the measure. Although the rewritten ballot title must be specific, the limitation prevents setting out every provision of a measure in the ballot title. The Respondent argues he did not use technical terms and emotionally charged examples in the ballot title. He notes the term "abuse" is used in the definitions of Schedule I and II drugs. Schedule I and II drugs are defined in 63 O.S. §§ 2-203 and 2-205. Under these definitions Schedule I drugs include the characteristics which have "(1) High potential for abuse" and

Schedule II's definition includes drugs that have "a potential for abuse." He asserts his explanation that "under current law, drug possession is a felony when, for example: the drug is one that has a high potential for abuse," clearly and plainly explains the current law that the proposal seeks to change.

¶12 The Respondent also asserts the reference in the rewritten ballot title concerning the removal of enhancement provisions for drug possession around schools and parks was not made to evoke fearful images. He argues the reference virtually mirrors the provisions of 63 O.S. § 2-402 (C) and is "one of the effects" of the proposal. However, as mentioned, 63 O.S. § 2-402 (C) is not limited to just public or private schools and parks, it applies also to institutions of higher education as well as vocational education.⁶ In

⁶ Title 63 O.S. Supp. 2012, § 2-402 (C) provides:

C. Any person who violates any provision of this section by possessing or purchasing a controlled dangerous substance from any person, in or on, or within one thousand (1,000) feet of the real property comprising a public or private elementary or secondary school, public vocational school, public or private college or university, or other institution of higher education, recreation center or public park, including state parks and recreation areas, or in the presence of any child under twelve (12) years of age, shall be guilty of a felony and punished by:

1. For a first offense, a term of imprisonment, or by the imposition of a fine, or by both, not exceeding twice that authorized by the appropriate provision of this section. In addition, the person shall serve a minimum of fifty percent (50%) of the sentence received prior to becoming eligible for state correctional institution earned credits toward the completion of said sentence; or
2. For a second or subsequent offense, a term of imprisonment not exceeding three times that authorized by the appropriate provision of this section and the person shall serve a minimum of ninety percent (90%) of the sentence received prior to becoming eligible for state correctional institution earned credits toward the completion of said sentence, and imposition of a fine not exceeding Ten Thousand Dollars (\$10,000.00).

addition, the Respondent takes issue with the Petitioners' simplistic explanation in their ballot title concerning drug possession. The Petitioners' ballot title, he argues, indicates the proposed amendments only concern "simple drug possession" when in fact much of what is being removed by the proposal concerns enhancement provisions. He asserts this description is at best, imprecise and at worst, misleading.

II. Initiative Petition 405

¶13 Next, the Petitioners assert the rewritten ballot title for Initiative Petition 405, suffers from the same deficiencies found in Initiative Petition 404 by conveying partiality and bias and risks misleading voters. They argue the Respondent improperly expresses skepticism regarding the merits or likelihood of success by stating the measure "presumes" the Oklahoma Smart Justice Reform Act will save the State money. The Petitioners are concerned the rewritten ballot title suggests the initiative petition would siphon money traditionally devoted to other state programs by stating the "measure does not identify a revenue source that will be used to pay the amount that is determined or estimated to have been saved," and "[p]ayment into the Fund . . . would be made from the General Revenue Fund, the primary fund used to pay for state government." They believe this "gratuitous explanation" concerning the flow of funds serves only to suggest

that the self-funding mechanism is somehow unlawful, inadequate, or would reduce funds that would otherwise be used to pay for state government. All of which, they assert, is impermissible argument in violation of 34 O.S. Supp. 2015, § 9. They argue their version of the ballot title is correct in that it simply informs voters the measure would create a fund that “consists of costs saved by reclassifying as misdemeanors certain property crimes and drug possession,” regardless if the amount is \$0 or \$10 million.

¶14 The Respondent asserts his language does not convey partiality or bias against the measure. The word “presume” means “upon probable evidence.”⁷ He argues it is quite possible but not definite that the Oklahoma Smart Justice Reform Act may save the State money. Because it is not definite then the word “presume” is appropriate. In addition, the Respondent asserts the Petitioner’s ballot title is deficient because it provides no explanation relating to the Office of Management and Enterprise Services’ (OMES) role in the calculation and expenditure of funds. Because OMES has a substantial role in the calculation and disbursement of these Funds provided for in the initiative petition, he alleges, it is misleading not to mention OMES.

III. Ballot Title Word Limitation

⁷ Black’s Law Dictionary 1349 (4th ed. 1968).

¶15 Lastly, the Petitioners argue the two rewritten ballot titles exceed the 200-word limitation imposed by 34 O.S. Supp. 2015, § 9. Section 9 also requires language that clearly states a “yes” vote is a vote in favor of the proposition and a “no” vote is a vote against the proposition. 34 O.S. Supp. 2015, § 9 (B) (5). In order to comply with the law, the Respondent’s rewritten ballot titles include the following language:

SHALL THE MEASURE BE APPROVED?

FOR THE MEASURE-YES _____

AGAINST THE MEASURE-NO _____

A “YES” vote is a vote in favor of this measure. A “NO” vote is a vote against this measure.

The Petitioners believe this required language should be included when calculating the 200-word limitation. The Petitioners note this Court recently did not include such language when determining the word count on a ballot title. *See OCPA Impact, Inc. v. Sheehan*, 2016 OK 84, ¶11, __P.3d__. However, they assert the issue was not briefed in that case.

¶16 The Respondent finds this line of argument misleading. He believes our opinion in *OCPA Impact, Inc. v. Sheehan*, 2016 OK 84, ¶11, __P.3d__, was clear, because this Court did not count the “boilerplate language” at the end of a ballot title towards the 200-word limit. The Respondent argues, “[r]equiring the substance of the ballot title to include

boilerplate language that is 33-words long would detract from a proponent's or Attorney General's ability to include all of the relevant information." He requests this Court decline to read the 200-word limitation found in 34 O.S. Supp. 2015, § 9 to practically be only a 167-word limit.

IV. Title 34 O.S. Supp. 2015, § 10

¶17 The Petitioners reassert their original ballot titles are more appropriate than the two rewritten by the Respondent. We find the rewritten ballot titles to be misleading and partial. However, we conclude neither parties' proposed ballot titles sufficiently describe the measures involved. In addition, we reaffirm the purpose of a ballot title is to reflect the character and purpose of the measure. *See In re Initiative Petition No. 360, State Question No. 662*, 1994 OK 97, ¶25, 879 P.2d 810. We do not find the "boilerplate language" at the end of a ballot title, although a necessary part of the ballot title, was intended to reflect the character or purpose of the measure. We therefore hold, the 200-word limitation was intended for words that are used to reflect the character and purpose of a measure and is not applicable to the other required language found in 34 O.S. Supp. 2015, § 9 (B) (5). Under this interpretation, neither the Respondent's two rewritten ballot titles nor the Petitioners' proposed ballot titles exceed the 200-word limitation.

¶18 After considering the arguments and all the proposed ballot titles we hereby, pursuant to the authority vested in this Court by 34 O.S. Supp. 2015, § 10 (A)⁸, present our own draft of the ballot titles' language concerning the character and purpose of the measures, as follows:

Initiative Petition 404 Ballot Title:

This measure amends existing Oklahoma laws and would change the classification of certain drug possession and property crimes from felony to misdemeanor. It would make possession of a limited quantity of drugs a misdemeanor. The amendment also changes the classification of certain drug possession crimes which are currently considered felonies and cases where the defendant has a prior drug possession conviction. The proposed amendment would reclassify these drug possession cases as misdemeanors. The amendment would increase the threshold dollar amount used for determining whether certain property crimes are considered a felony or misdemeanor. Currently, the threshold is \$500. The amendment would increase the amount to \$1000. Property crimes covered by this change include; false declaration of a pawn ticket, embezzlement, larceny, grand larceny, theft, receiving or concealing stolen property, taking domesticated fish or game, fraud, forgery, counterfeiting, or issuing bogus checks. This measure would become effective July 1, 2017.

Initiative Petition 405 Ballot Title:

This measure creates the County Community Safety Investment Fund, only if voters approve State Question 780, the Oklahoma Smart Justice Reform Act. This measure would create a fund, consisting of

⁸ Title 34 O.S. Supp. 2015, § 10 (A) provides:

A. Any person who is dissatisfied with the wording of a ballot title may, within ten (10) business days after the same is published by the Secretary of State as provided for in subsection I of Section 8 of this title, appeal to the Supreme Court by petition in which shall be offered a substitute ballot title for the one from which the appeal is taken. Upon the hearing of such appeal, the court may correct or amend the ballot title before the court, or accept the substitute suggested, or may draft a new one which will conform to the provisions of Section 9 of this title.

any calculated savings or averted costs that accrued to the State from the implementation of the Oklahoma Smart Justice Reform Act in reclassifying certain property crimes and drug possession as misdemeanors. The measure requires the Office of Management and Enterprise Services to use either actual data or its best estimate to determine how much money was saved on a yearly basis. The amount determined to be saved must be deposited into the Fund and distributed to counties in proportion to their population to provide community rehabilitative programs, such as mental health and substance abuse services. This measure will not become effective if State Question 780, the Oklahoma Smart Justice Reform Act, is not approved by the people. The measure will become effective on July 1 immediately following its passage.

CONCLUSION

¶19 For the foregoing reasons, we grant the Petitioners' application to assume original jurisdiction, find the proposed and rewritten ballot titles deficient, and rewrite the ballot titles pursuant to 34 O.S. Supp. 2015, § 10. Due to the exigencies related to the element of time affecting the situation involved herein, the usual 20-day period allowed by Okla.Sup.Ct.R. 1.13, 12 O.S. 2011, ch. 15, app.1, for the filing of petitions for rehearing generally, is, as applied to this case, reduced. The parties must file any petition for rehearing from this decision in the Office of the Clerk of the Supreme Court no later than 4:30 p.m. on Thursday, August 11, 2016.

**APPLICATION TO ASSUME ORIGINAL JURISDICTION IS GRANTED;
BALLOT TITLES DECLARED DEFICIENT AND ARE HEREBY AMENDED
BY THIS COURT PURSUANT TO TITLE 34 O.S. SUPP. 2015, § 10**

¶20 REIF, C.J., COMBS, V.C.J., and KAUGER, WATT, EDMONDSON, and GURICH, JJ., concur.

¶21 TAYLOR, J., with whom WINCHESTER, J., joins, dissenting:

I would approve the ballot titles written by the Attorney General.

¶22 COLBERT, J., not participating.

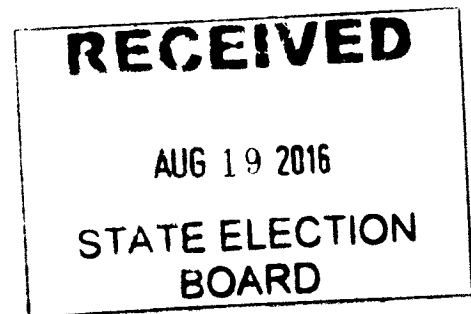


Chris Bengé
Secretary of State
and
Native American Affairs

Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

August 19, 2016



HAND DELIVERED

The Honorable Paul Ziriox
Secretary, State Election Board
State Capitol, Room B-6
Oklahoma City, Oklahoma 73105

Re: State Question 781, Initiative Petition 405 – Certification of Final Ballot Title

Dear Secretary Ziriox:

In accordance with the provisions of 34 O.S. § 9, I hereby certify that all requirements of said section of law have been met for State Question 781, Initiative Petition 405, and therefore, I herewith transmit to you true and accurate copies of the following on record with this office;

- **State Question 781, Initiative Petition 405**
- **Oklahoma Supreme Court Order 2016 OK 87 ***

*The Supreme Court's corrected and amended Final Ballot Title for State Question 781 is stated within said order.

If our office may be of any further assistance, please do let us know.

Sincerely,

A handwritten signature in cursive script that reads "Chris Bengé".

Chris Bengé
Secretary of State and
Native American Affairs



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Secretary of State
and
Native American Affairs

Mary Fallin
Governor

OKLAHOMA SECRETARY OF STATE

August 19, 2016

RECEIVED

AUG 19 2016

OFFICE OF THE
GOVERNOR

HAND DELIVERED

The Honorable Mary Fallin
Governor, State of Oklahoma
State Capitol, Room 212
Oklahoma City, Oklahoma 73105

Re: State Question 781, Initiative Petition 405 – Certification of Final Ballot Title

Dear Governor Fallin:

Pursuant to 34 O.S. § 9, the Secretary of State has certified to the State Election Board that all requirements of said section of law have been met for State Question 781, Initiative Petition 405 along with an attested copy of the above referenced measure and an attested copy of Supreme Court Order 2016 OK 87, which contains the Court's corrected and amended Final Ballot Title for State Question 781. Please find enclosed true and accurate copies of the following, on record with the Secretary of State office;

- **SOS transmittal letter to the State Election Board dated August 19, 2016**
- **State Question 781, Initiative Petition 405**
- **Supreme Court Order 2016 OK 87 received by this office August 9, 2016**

If there are any questions, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in cursive script that reads 'Chris Bengé'.

Chris Bengé
Secretary of State and
Native American Affairs



Mary Fallin
Governor

FILED

AUG 22 2016

OKLAHOMA SECRETARY
OF STATE

**EXECUTIVE DEPARTMENT
EXECUTIVE PROCLAMATION**

I, Mary Fallin, Governor of the State of Oklahoma, pursuant to the provisions of Section 3 of Article V and Section 1 of Article XXIV of the Oklahoma Constitution, Section 12 of Title 34 of the Oklahoma Statutes, and the referral by the Secretary of State, do hereby declare that Initiative Petition Number 405, State Question 781, be submitted to qualified electors of the State of Oklahoma for their approval or rejection at the general election to be held statewide on November 8, 2016.

This measure creates new sections of law to be codified as Sections 631 through 633 of Title 57 of the Oklahoma Statutes. This measure creates a revolving fund in the State Treasury to be titled the County Community Safety Investment Fund (Fund). The Fund shall be a continuing fund, not subject to fiscal year limitations. The substance of the measure is as follows:

- Creates the Fund only if voters approve State Question 780, the Oklahoma Smart Justice Reform Act (Act);
- The Fund will consist of any calculated savings or averted costs that accrued to the State of Oklahoma from the implementation of the Act in reclassifying certain property crimes and drug possession as misdemeanors, and requires the Office of Management and Enterprise Services (OMES) to use either actual data or its best estimate to determine how much money was saved on a yearly basis;
- An amount equal to the calculated savings and averted costs calculated by the Office of Management and Enterprise Services shall, subject to appropriation by the Legislature, be paid to the Fund;
- The amount determined to be saved must be deposited into the Fund and distributed to counties in proportion to their population to provide community rehabilitative programs, such as mental health and substance abuse services;
- If voters approve this measure and State Question 780, this measure will become effective on July 1, 2017.

Copies of this Executive Proclamation shall be delivered to the Secretary of State, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Secretary of the State Election Board.

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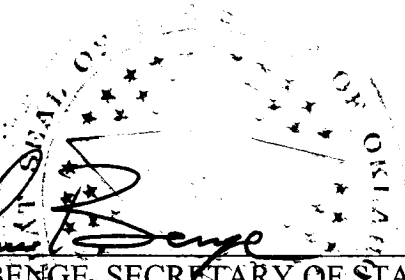

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma this 22nd day of August, 2016.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA



MARY FALLIN

ATTEST:

CHRIS BENGE, SECRETARY OF STATE