



**LAURA AUSTIN THOMAS  
DISTRICT ATTORNEY**

PRESS RELEASE – June 27, 2022

Today the State of Oklahoma filed four (4) misdemeanor charges against Nancy Elizabeth Kemp. The allegations are for driving with high beams while less than 600 feet from the vehicle in front of her, DUI with a blood alcohol concentration of .093 or an alternative count of driving under the influence of both alcohol and other intoxicating substances, specifically, two different strains of THC. Additionally, counts of obstructing an officer and resisting arrest were filed.

The State has spent the past month reviewing and analyzing the evidence in this matter. Careful consideration and attention were given to both the defendant's behaviors and the officer's responses to those behaviors which were required to ensure the safety of the defendant, officer and public.

Persons who drive under the influence of alcohol and other intoxicating substances sometimes act in ways that are outside their normal behavior and character. The person's usual judgment may become skewed. The person can become hostile, aggressive, emotional, and erratic. Drunk drivers present a danger to all of us when they make the decision to get in a car and drive under the influence. Unfortunately, there are many Oklahoma families who have lost husbands, wives, children, parents, friends and others as a result of drunk drivers. We currently have 13 cases pending in Payne and Logan counties, alone, where the selfish decision to drink or drug before driving resulted in the loss of an innocent life. These tragic experiences inform the seriousness with which our office responds to allegations like those filed today.

It is a policy of the Oklahoma Highway Patrol, as well as many other police agencies, that detainees cannot use their phones during a law enforcement interaction. This is for the safety of the officer. Officers have been injured when hostile, impaired individuals call their "back-ups" to the scene, posing additional threats to the officer. A responsible officer cannot allow a person they believe to be drunk to just leave or flee the scene. If that individual with poor judgment were to run out onto a roadway, especially a heavily travelled Interstate Highway, the risk of harm, including death, to the impaired driver would be significant. Needless to say, the law enforcement officer would be sharply criticized, and held accountable, for allowing such a result. Likewise, an officer dealing with a drunk cannot allow that individual to escape and get back in his or her car to drive away, continuing the risk to the rest of the motoring public. Furthermore, an officer cannot lose his focus on public safety regardless of the age or gender of the offending person. A 68 year old woman, screaming, yelling, being totally non-cooperative, attempting to

escape and run, fighting with the officer and refusing to comply with lawful demands is no less of a threat to the officer or others than a 32 year old man or 19 year old woman. Each could be in possession of a gun or other weapon. Each could harm the officer, themselves, or an innocent citizen. Intoxicated drivers are dangerous. Adding drugs into the mix can produce paranoia, fear and compound the bad judgment and behavior an individual may exercise. No one should be surprised that drunk driving laws are strictly enforced and the choice to face the repercussions of violating those laws lies solely with the offender.

A non-emotional, legal analysis was undertaken of the evidence surrounding these charges. This consideration resulted in a determination that the actions on the part of the arresting officer were a reasonable exercise of his duty to bring into compliance and control a drunk driver who was putting the general public, herself and the officer at risk of harm. I support appropriate law enforcement actions taken on a daily basis to protect our community. I urge everyone to respect yourself, your loved ones and your fellow citizens and make good decisions about driving after drinking or using drugs.

Defendants are presumed innocent of the charges against them and the burden is upon the State of Oklahoma to prove guilt of each and every element of the crimes beyond a reasonable doubt.