



CPC-2023-5505

PROBABLE CAUSE AFFIDAVIT
STATE OF OKLAHOMA, **OKLAHOMA** COUNTY

ARRESTED PERSON

LAST NAME, FIRST MIDDLE: **CUMMINGS, SEAN F.**

DOB: [REDACTED] SSN: [REDACTED] ARREST DATE: [REDACTED] ARREST TIME: [REDACTED]

OFFENSE(S)

1 DISTURBING STATE BUSINESS 21-6-280 A	2 INCITEMENT TO RIOT 21-55-1320.2	3
4	5	

**FILED IN DISTRICT COURT
OKLAHOMA COUNTY**

JUL 03 2023

DUI INFORMATION:

INTOXILYZER BAC RESULT: **0.** BLOOD KIT#: [REDACTED] CONDUCTED BY: **RICK WARREN
COURT CLERK**

VEHICLE INFORMATION

MAKE: **No Vehicle** MODEL: [REDACTED] COLOR: [REDACTED] YEAR MODEL: [REDACTED] TAG #: [REDACTED]

SYNOPSIS OF ARREST TO INCLUDE ALL ELEMENTS OF THE CHARGED CRIME:

On Thursday, June 22, 2023, at approximately 8:30 A.M., I, Oklahoma Highway Patrol (OHP) Lieutenant ALAN BEATY was at the Oklahoma State Department of Education (OSDE) Oliver Hodge Building on the Oklahoma State Capitol complex for the monthly OSDE Board meeting. OHP Lieutenant RICKY GUNKEL and Department of Public Safety (DPS) Security Officer BRANDON SMITH were already at the location.

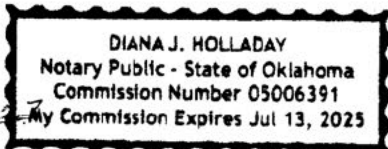
GUNKEL told BEATY that there was a possible fight in the lobby and that SMITH was aggressively pushed by a man in the crowd. GUNKEL and BEATY went into the lobby. BEATY heard SEAN CUMMINGS yelling and being disorderly saying something about the State keeping people out of the meeting. GUNKEL pointed out the man who pushed SMITH, later found to be EDWARDS MOORE JR. BEATY had CUMMINGS and MOORE step outside of the building.

BEATY advised MOORE that he can not block the doorway and can not put his hands on people. CUMMINGS stated he saw MOORE push SMITH. BEATY gave CUMMINGS a witness statement form so CUMMINGS could write down what he saw.

BEATY informed CUMMINGS that he can not yell and incite the crowd. CUMMINGS stated the State is only allowing "their" people into the meeting by handing out numbers. BEATY went back inside and asked different OSDE staff if the subject giving out numbers had any relationship with the State or OSDE. No OSDE staff knew anything about giving out numbers to enter an open meeting.

I swear the above information is true and correct to the best of my knowledge and belief.

STATE OF OKLAHOMA)
)SS.
COUNTY OF **OKLAHOMA**)



Alan Beaty #86
TROOPER'S SIGNATURE
Lt. Alan Beaty #86
TROOPER NAME and BADGE
Diana J. Holladay
NOTARY PUBLIC

Subscribed and sworn to me the 27th day of June, 2023.
My Commission Expires: July 13, 2025

This Court having conducted a probable cause determination for the above name person's arrest without a warrant finds:

- Probable cause for the person's arrest existed at the time of arrest. Arraignment before a Magistrate is ordered.
- Probable cause for the person's arrest did NOT exist at the time of arrest. The person is ordered released from custody immediately.

Dated the _____ day of _____, 20__ at _____ M.

*Not in custody
7/1/23*

Thomas C Reese
JUDGE OF THE DISTRICT COURT

PROBABLE CAUSE AFFIDAVIT - CONTINUATION SHEET

ARRESTED PERSON

LAST NAME, FIRST MIDDLE: **CUMMINGS, SEAN F.**

BEATY found LEONARD SCOTT III in the lobby handing out number, and had SCOTT step outside. BEATY told the crowd the numbers do not mean anything and the man is not a State employee. BEATY asked SCOTT about the numbers and SCOTT stated he thought of the number system to create order so people don't get trampled like last month. BEATY told SCOTT nobody was trampled as BEATY was at the last meeting too. BEATY made sure to tell CUMMINGS that SCOTT is not a State worker. BEATY told CUMMINGS that instead of yelling and raising tensions, all CUMMINGS had to do was report the number system to the staff.

Identification was obtained from MOORE, SCOTT, and CUMMINGS. Each of the subjects agreed to leave the property and not return that day. BEATY noticed the witness CHRISTI CAIN who was using her phone to record most of the events in the lobby and while Troopers talked to the subjects outside. BEATY obtained her information for the report and will request her video.

BEATY witnessed MOORE and SCOTT standing in front of and blocking people from being able to enter the hallway which leads to the meeting room. BEATY explained to SCOTT that nobody can block the entry or limit who gets into an open meeting.

Before BEATY could review the security video, SHANNON BARRY was brought to BEATY and stated she was assaulted by a man. BARRY described and identified MOORE as the man who grabbed her and said she could not enter because she did not have a number. BARRY completed a witness statement.

Upon reviewing security video, BEATY could see MOORE did grab BARRY as she tried to enter the hallway to the meeting room. BARRY struggled to get free, but MOORE pulled her back. SMITH became involved and MOORE can be seen aggressively pushing SMITH.

BEATY saw a news report on Friday, June 23, 2023 by Oklahoma.com and their video, with audio, shows the time right after MOORE and SMITH's interaction. The video shows SCOTT using his body and his walker to block people from the hallway to the meeting room. CUMMINGS was one of the people blocked and the news article shows CUMMINGS taking an aggressive posture with SCOTT and in a threatening tone yelled "don't get in my way, don't get in my way" at SCOTT. The conflict between CUMMINGS and SCOTT included violent and threatening words which caused more unrest in the crowd. The video also shows SMITH had to step between CUMMINGS and SCOTT with CUMMINGS refusing to follow SMITH's commands to be orderly and step back. GUNKEL and SMITH can be seen closing the slider door to provide a safe environment for the OSDE staff and wait for additional officers to arrive. A short time later is when BEATY arrived.