

From: Kira Allen-Lowe [REDACTED]
Date: March 23, 2024 at 11:39:16AM CDT
To: OSBI.commissioners@osbi.ok.gov
Subject: Mary Morgan Pewitt - Cold Case Family

March 22, 2024

Kira Allen- Lowe OSBI Commission
[REDACTED] Oklahoma City, Oklahoma 73116

Dear Commission-

I trust this letter finds you well. I am writing to express my dissatisfaction with my experience with the OSBI regarding the lack of communication, transparency, and overall disregard for Cold Case families.

In March 2014, I contacted the OSBI to find out the status of my mom's case. A month later, after numerous emails, Agent Joe Ferrero stated in April 2014 that "Mary's case has been assigned and will be reviewed April 28, 2014." There was no mention of the new agent's name – it took several additional emails to get that information, and the email stated Agent Sadler. We attempted to bring the community together on June 4, 2014, to keep this case alive; even the Lawton News attended a gathering; however, the OSBI couldn't be bothered. Interestingly enough, my sister and I were requested to have our palm prints taken; she went to the Comanche PD, and I went to Stephen's County courthouse to have my done. In 2014, Agent Ferrero said that any DNA in the case would be tested; guess what? It's March 2024, and it still hasn't been. July 30, 2015, an email was sent to Agent Sadler asking if anything had been done with our fingerprints- no response. My last communication with Agent Sadler was when he told me, "If someone walked in here right now and said I did it, we can't prove it."

In late 2016 or early 2017, through sending numerous emails, I got the attention of Kelly Siegler with Cold Justice. Former DA Investigator Rick Lang and DA Jason

Hicks were excited and on board with having outside help and funding to test the evidence in my mom's case. After Ms. Siegler reviewed the documents, she explained to me that the OSBI would not share all the information that they had. Not having all the information & evidence, Cold Justice pulled out along with their resources. I was frustrated that the OSBI wouldn't release all the information and was on a mission to learn as much as possible. After all, the biggest thing in my life is a secret, and more people have access to this information than I do. I reached out to the Oklahoma Medical Examiner's office and requested a copy of my mother's autopsy report, and guess what? It's been misfiled. Working with the District Attorney's office, I record the only recorded tape of Randy Benson. I gave my first formal statement 29 years after the fact, and I got my mom added to the deck of Cold Case playing cards.

In September 2018, I called and emailed Former Director Rick Adams weekly, asking why the OSBI did not sign off on Cold Justice and what was next for the Mary Morgan Pewitt case. To my surprise, in October 2018, OSBI announced the launch of a Cold Case Unit; I was notified that my mom's case was one of two for the Southwest Region. It renewed my family's hope that Mary Morgan Pewitt wasn't forgotten. Agent Francia Thompson became my point of contact with the new Cold Case Unit. In December 2018, I was told the evidence in my mom's case was 2nd in line to be tested. I had great hope for the Cold Case Unit, but the transparency of what the Cold Case Unit is has never been divulged. As I've learned over time, cold cases are assigned to active investigators to work on when they have time-based on their caseload. In 2019, I started questioning when the DNA would be processed, and I was concerned that funding would run out as the 2009 grant had. The answer to DNA being processed has always been...the following.

"I know the lab is working on it, but I don't have a timeline on when they will be finished," several weeks later, this was the response.

"Hopefully, funding won't be the issue this time. The last time they were getting tested, it was under a cold case grant, but this time, it's getting tested under our regular funding, and it's getting routed through our regular biologist, so it's also taking some time. I talked to the biologist doing the testing on her case yesterday. We staffed the case so she could have more information. So, she should be getting started on it. I'm not sure how long the testing will take since there were several items she was looking at testing, so it could be a while before we hear anything," email dated 4/17/19.

In late 2019 or early 2020, my sister and I drove to Edmond to meet our team (Joe Kimmons & Francia Thompson), to see the labs, and for Amber to make a formal statement – only 32 years after the event. Again, mine and Amber's fingerprints and palm prints were retaken. Joe Kimmons and I developed a great working relationship. I have spoken to 90% of the law enforcement officers at the crime scene the day of or days after and have been told the same thing – he (Joe Kimmons) seems to be the most devoted person to this case in a long time. During October 2022, I sat down with Deems Rowell, Ryland Miller, Dan Benson, Larry Pewitt, and a few others to clear rumors and compare notes on things I had heard from the public. When you are excluded from the most personal thing, you seek information from who, when, and where you can get it. In November of 2022, Tim Allen was served a search warrant for his DNA & palm print; not too long after came Lynn Allen's DNA; for once, it seemed like progress was being made.

January 2023, I completed an Application for a Writ of Assistance for the Medical Examiner's office...again, what a process for victim's families. It had to be approved, then filed in the Oklahoma County Court, and then I needed a judge to sign it, submit it, and deliver it to the medical examiner's office.

"This search through their database found only a lab report and some photos. As this was over 30 years ago, there is unfortunately no knowledge as to why a Medical Examiner case report would not also be included.

I am sorry that there aren't more documents to produce. I will have the office look again and include them in the production if they do find more documents." – Madalynn Martin, A.A.G

In addition to my mom's autopsy being "misfiled," the medical examiner's notes must have met the same demise; they can't be found either.

In the summer of 2023, Agent Kimmons questioned if I knew a grand jury had been pulled in the early 90's for my mom's case; I explained that I was, and I had even emailed a prior OSBI agent letting them know that. Agent Kimmons explained that it was like pulling teeth to get the grand jury records. On August 23, 2023, I contacted the Attorney General's office to request a meeting to expedite the files from the grand jury. I contacted the Attorney General's office on August 3, 2023, and spoke with Sam Snelson. He informed me that the AG does not take meetings, nor could he release any contact information.

*(I have attached a copy of my correspondence with Mr. Snelson and my email that I sent to Attorney General Drummond on 8/11/23- which yielded no response)

Dateline connected with me on July 26, 2023, and they attempted numerous times to contact the PIO and agents involved in my mom's case. Every excuse was given, from the agents' fault to the PIO's. Finally, on September 25, I received the following messages from Dateline.

"They said they wouldn't be able to speak with us now, so we're going to go forward with the article without them."

"The PIO told me they were all busy, so they didn't have anyone available to speak at this time."

During October, November, and December 2023, I sent several messages and received no response from Joe Kimmons, unlike him. On November 30th, I drove to Oklahoma to meet with DA Jason Hicks of District 6 to try to get clarification on Mr. Kimmon's status and the status of this case. Was Mr. Kimmons still working on my mom's case? Had it been reassigned to a different case? Was he ill? Mr. Hicks told me that, as far as he knew that, Agent. Kimmons was still working on the case. January 8th at 11:24 am, I received an email from Mr. Hicks stating that Mr. Kimmons was no longer with the OSBI and that my new agent's name was Lindsey Adamson. I was frustrated that the one person I had come to trust and believe in was no longer at the OSBI. I contacted one of the OSBI victim support services; I thought she could bring me up to speed. Instead, I left a voicemail on 1/8/24 at 2:58 pm and never received a callback. It was like being that abandoned 8-year-old kid all over again, knowing my mother was dead, but who was going to help me get the bad guy(s)?

Agent Adamson has been assigned my mom's case, and she is incredible to work with. And I look forward to continuing the relationship that we have started. She has been transparent/honest, and forthright- everything the OSBI should represent. When assigned this case, she sat down and met with our family, answered any questions she could, and explained her workload was less than the previous agent.

My complaint is how the OSBI chain of command has handled this case or lack thereof. The OSBI as a whole did not communicate with our family about any ongoing transition or even that a transition had occurred. This experience has left me deeply concerned about the victims' families; your lack of genuine care and concern is disheartening. However, I understand that issues can arise, but at this point, I am on my fourth OSBI agent in less than ten years. The first two agents may have exchanged two emails with me.

After more than three decades, it seems only fair that I be allowed to inspect my mother's case file. I recognize the exemption's purpose in protecting the integrity of an investigation, but after the passage of so much time and few resources consistently dedicated to my mother's case, I believe I, as a family member, should have the ability to review it. With the assistance of a CLEET certified independent investigator, I aim to take inventory of what has and has not been done to further the investigation. While I acknowledge that I may not be fully aware of the

intricacies of protecting information of evidentiary value, a CLEET-certified investigator would be, and together, we are willing to work on this case more aggressively than the state agency has been able to or can afford to.

I believe that resolving this matter is crucial not only for my satisfaction but also for maintaining truth, transparency, and integrity for future families and present families. I kindly request that you respond to this letter within ten days to acknowledge receipt and outline the steps the OSBI plans to take to address my concerns. Should you require any additional information, please do not hesitate to contact me at [REDACTED]

While I am disappointed by this experience, I remain hopeful that the OSBI will take action to rectify the situation and restore my confidence.

Thank you for your prompt attention to this matter.

Faithfully,

Kira Allen-Lowe

5 attachments

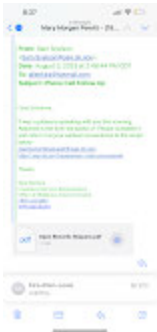


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