OKLAHOMA SECRETARY OF STATE
2300 N. LINCOLN BLVD. ROOM 101
OKLAHOMA CITY, OK 73105-4897
(405) 521-3912
Fax # (405) 521-3771

M. Susan Savage
Secretary of State

Brad Henry
Governor

January 14, 2009

Clarence W. Cooper II
1617 N.W. 14th Street
Oklahoma City, Ok 73106

Dear Mr. Cooper:

This will acknowledge receipt of petition for filing which has been designated as:

State Question Number 745
Initiative Petition Number 392

filed this 14th day of January, 2009 at 8:56 a.m.

Pursuant to Title 34 O.S. 2001, Section 8, the signatures for this petition are required to be filed within ninety (90) days after the filing of the petition.

Please be aware that once you file your petition signature pamphlets with this office, we are bound by law to charge for copies. To avoid this charge you may wish to make copies of your signature pages for future references before filing with this office.

If our office may be of further assistance, please do not hesitate to contact the Executive Legislative Division at (405) 522-4564.

Sincerely,

M. Susan Savage
Secretary of State

MSS/kj

State Question No. 745 Initiative Petition No. 392

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 SUCH PETITION WHEN HE IS NOT A LEGAL VOTER.

FILED

JAN 14 2009

OKLAHOMA SECRETARY OF STATE

INITIATIVE PETITION

To the Honorable Brad Henry,
Governor of Oklahoma:

We, the undersigned legal voters of the State of Oklahoma, respectfully order that the following proposed amendment(s), provisions, and requests for establishment of language – of – law shall be submitted to the legal voters of the State of Oklahoma for their approval or rejection at the regular general election (or such earlier special election as may be called by the Governor), to be held on the 2nd day of November, 2010, and each for himself / herself says: I have personally signed this petition; I am a legal voter of the State of Oklahoma, and my residence or post office are correctly written after my name. The time for filing this petition expires ninety days from January 14, 2009. The question we herewith submit to our fellow voters is:

Shall the following proposed amendment(s), to Oklahoma Title 10 (Oklahoma Children's Code), Oklahoma Title 63, and the following requests for language – of – law and provision(s) be approved?

BALLOT TITLE

This measure establishes, amends, ratifies, and / or provisions current statutes under Oklahoma Titles 10 and 63, and Article XXIII – Section I-8 of The Oklahoma Constitution. The measure, herein, calls for legislative action(s) and / or languages which will provide a clear definition of the "Best Interests of the Child", where there is not, currently, a clear set of criterions which establish the "Best Interests of the Child" in this state. This measure, additionally, calls for legislation to form a non – partial Citizen Reform Review Council (see article 19); and to establish or amend law in such a language as will subject OKDHS, its employees, affiliate organizations, legal, medical, and mental health professionals to criminal and reparatory actions when wrongful – separation of child and family, wrongful termination of parental – rights, science – fraud, or other defined actions / infractions are proven.

This measure seeks to "overhaul" the current OKDHS systems, re-engage and empower the citizens (both children and adults), of this state, and foster the ideal of community unity, sanctity of family, family union, inalienable civil and constitutional rights (for both parents and their children), while continuing to more properly protect the lives and interests of authentically – abused and / or neglected children.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL – YES

AGAINST THE PROPOSAL - NO

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA THAT THE FOLLOWING AMENDMENTS, LANGUAGE – OF – LAW REQUESTS, AND / OR PROVISIONS BE APPROVED:

WHEREAS the PARENTS, CHILDREN, and OTHER CITIZENS OF THE STATE OF OKLAHOMA have suffered egregious and obscene outrages, indignities, loss of affection, emotional trauma, economic loss, violations of inalienable civil and constitutional rights, and false imprisonment through false and wrongful child abuse, sexual abuse and / or child neglect allegations brought about as a result of:

1. Malicious acts including, but not limited to: organized crime practices within the judicial, child protection, mental health and social work systems;

2. Arrogant, corrupt, under - qualified, vindictive, and / or malicious individuals within the Department of Human Services, Law Enforcement, Child Abuse Investigation Divisions, and individuals working as Counselors, Psychiatrists, Psychologists, Social Workers, and Medical Practitioners;

3. Counselors, Psychiatrists, Psychologists, Medical Professionals, and Social Workers who engage in *science - fraud practices*, and operate in flagrant disregard of the Oklahoma Deceptive Trade Practices Code, by using diagnostic tests which are manipulated to *produce false positives* in physical / psychological - evaluations and child or sexual abuse investigations; and

4. Judicial, Prosecutorial, Attorney Ad Litem, Public Defender, and Attorney misconduct in child or sexual abuse or neglect allegation cases and divorce proceedings.

We, the below signed CITIZENS OF OKLAHOMA, petition to remedy the egregious and obscene outrages, indignities, loss of affection, emotional trauma, economic loss, violations of inalienable civil and constitutional rights, and false imprisonment caused by false child abuse allegations and State abetted extortion, and child exploitation by any and all means including but not limited to as follows:

1. Adopt the following criteria - based definition of the **best interests of the child**: For purposes of conducting child abuse, neglect, or molestation allegation investigations, in addition to child custody or adoption decision making, the **best interests of the child** shall mean the **least detrimental alternative objectively determined to have the lowest rates of per capita occurrence with regard to the following criterions and standards**:

(1) accidental injuries;
(2) administrative inefficiency;
(3) deaths;
(4) deprivation of affection;
(5) deprivation of constitutional and legal rights;
(6) disruption of cultural continuity;
(7) disruption of custody;
(8) disruption of extended family relationships;
(9) disruption of parental emotional relationship;
(10) disruption of parental relationships;
(11) disruption of religious affiliations;
(12) disruption of social affiliations;
(13) disruption of sustained intellectual development;
(14) disruption of sustained healthy physical development;
(15) disruption of sustained emotional development;
(16) disruption of visitation;
(17) economic exploitation;
(18) emotional abuse;
(19) emotional exploitation;
(20) exploitation for criminal purposes;
(21) false negative conclusions;

(22) false positive conclusions;
(23) fraud;
(24) inaccurate records;
(25) institutional abuse;
(26) institutionalized abuse;
(27) human experimentation;
(28) legal/judicial exploitation;
(29) nosocomial abuse;
(30) organized criminal activity;
(31) parental abuse of legal processes;
(32) parental alienation;
(33) physical abuse;
(34) political exploitation;
(35) science fraud;
(36) unnecessary medication; and
(37) use of the child as any form of leverage in adult disputes.

2. Remedy inequities, and interferences with visitation and / or custody, by establishing criminal penalties for individuals and / or organizations who directly or indirectly encroach upon a parent's, child's, or guardian's, inalienable and constitutional right to exercise visitation; **except where a parent, child, or guardian has committed, and been convicted by a court - of - law, a felony act.**

3. Protect children from exploitation, abuse, experimentation, and unnecessary medication and treatment by establishing criminal penalties for the use of science fraud by mental health, physical health, forensics, legal and social work practitioner(s) as determined by the standards of testability, falsifiability and refutability; and by establishing an independently, or federally, held State Child and Family Protection System: Organized Crime Task Force.

4. Provide for recovery of actual and punitive damages by any individual who can establish that an allegation of abuse, neglect, or molestation was false.

5.Establish, as State Policy, the presumption that a child's needs are best met by his/her own parent(s) except when otherwise determined by consideration of all criterions and standards as set forth in Section 1, sub – sections 1 through 37, of this initiative.

6. Equally protect all citizens from abuse of office and abuse of government power by criminalizing intentional and subsequent acts to harass, molest, demoralize, alienate, or otherwise destroy a family as defined by The Constitution of The United States.

7. Remove all "Prima Facie" privileges, currently exercised by CASA, Judicial, case worker, attorney, or any affiliated individuals or organizations: Example given in OK Title 10, Chap. 70, Sec. 7003-3.7, § D-1 and D-2. Where "Prima Facie will no longer be recognized as an exercisable rule in Family Court and / or Juvenile Deprived proceedings.

8. Provide a statute, or provision, which will equally hold all parties, involved in children's proceedings, accountable and subjected to criminal and / or reparatory penalties, for any action which violates the inalienable United States and / or Oklahoma Constitutional or Civil Rights of any citizen of The State of Oklahoma, and / or violates any of the criterions set forth in Article 1, sec. 1-37 (Definition of the Best Interests of the Child) of this initiative petition, without regard to social, financial, professional, or official position.

9. Amend OS 10 (Oklahoma Children's Code) to remove the **"Clear and Convincing Evidence"** rule, where any and all matters of Juvenile and / or Family Court Proceedings are concerned, and replace with **"Findings of fact and conclusion of law as supported by physical evidence (including, but not limited to: Medical, Psychological, Psychiatric, and Forensic Investigative sworn reports or affidavits which are certified and filed with the County Court Clerk's office of the prevailing jurisdiction)".** Provide additional provisioning, under this amendment, to require that any Medical, Psychological, Psychiatric, Interrogative, or Forensic Investigations be carried out by an individual and / or Organization which is **NOT** contracted by OKDHS or any of its affiliate organizations, and that any such investigative reports or findings acquired otherwise are to be deemed "inadmissible" in any Juvenile and / or Family Court proceeding(s), including, but not limited to, appellate proceedings.

10. Establish criminal and reparatory penalties for any individual and / or organization who knowingly forces, coerces, or in any way manipulates a child, guardian, or parent to submit and / or agree to submit a false statement during the course of any Juvenile and / or Family Court proceeding; including Initial Investigate proceedings which may / are carried out by any OKDHS employee and / or its affiliate organizations.

11. Amend OS 10, Chap. 70, Sec. 7001-1.3, § 28 and 28(a) to direct any officer of the state and / or courts to determine the Best Interests of the Child based on the criterions set forth in Article 1, sec. 1-37, of this petition. Establish criminal and / or reparatory penalties for any deviation (intentional or unintentional) from this amendment.

12. Establish a statute which strictly prohibits "incentive – based" funding, "grant – payments", or "bonus - payouts" for any OKDHS Entity, employee, or affiliated organization (as described, for example, in Sec. 473A. [42 U.S.C. 673b], and [42 U.S.C. 658a]); especially where such "incentives" are "metrics – dependant", or would cause OKDHS, an OKDHS employee, an OKDHS affiliate organization, Medical, Psychiatric, Psychological, Legal, Law Enforcement, or Social Work Professional to engage in science - fraud and / or any other fraudulent activity(ies) prior to, during, or after any child abuse / neglect investigations, Juvenile and / or Family Court proceedings.

14. Extend the "Adequate Legal Council" provisioning to include any parent, child, or guardian who declares "Verifiable Financial Inability" where appellate matters, related to any adjudication or parental – rights termination proceedings, are concerned. Adopt additional, strict – observance rule, provisioning for any court – appointed counsel as follows: The first loyalty of all court – appointed legal counsel shall be to the proper and unwavering defense of their court – appointed client (e.g., Defendant); and that court – appointed counsel shall, conjunctively, observe the laws and Constitution of The State of Oklahoma, and the laws and Constitution of The United States; whereas Section I-1 of The Oklahoma Constitution states: "The State of Oklahoma is an inseparable part of the Federal Union, and the Constitution of the United States is the supreme law of the land."

15. Adopt language – of – law which absolutely blocks any attempts to accelerate the permanency – placement or adoption of any child(ren) who are placed in the custody of the State of Oklahoma; except where the parent / guardian willfully relinquishes his / her / their parental – rights, not withstanding any situation where parent and / or child indicates that he / she / they have been coerced or were under duress at the time of relinquishment.

16. Adopt language – of – law, and non – negotiable standard – of – practice, which requires that all child abuse and / or neglect investigations are to be video – recorded, audio – recorded, and archived; and that no child(ren) shall be interviewed (including, but not limited to, questioning) without the presence of his / her / their parent(s), guardian, or attorney; and that no child(ren) shall be separated from his / her / their parent(s) during the course of any investigative interviewing. Except where the presence of the parent(s) can, irrefutably, be proven to be contrary to the "Best Interests of the Child" as defined in Article 1 of this Initiative Petition.

17. Adopt language – of – law which states that a child – abuse / neglect investigation which is documented as "unfounded – services not needed", or "founded" but has been closed, shall not be admissible as "evidence" against any parent or child during any juvenile – deprived or family court proceeding; and that any such action which is contrary to the above shall be deemed as grounds for immediate motion for "mistrial", and that the juvenile – deprived or family court proceeding shall be halted, and the hearing / case dismissed, without prejudice, by the presiding judiciary authority.

18. Establish and maintain a "victim's Fund", which will provide funding for therapeutic and other family services in addition to reparatory payments, for families who are proven to have

been "wrongfully separated" and, as a direct result, are irreparably damaged with respect to the temporal, mental, and moral welfare of the parent(s) and child(ren). Appropriate funding which is currently allocated for adoptive, foster / permanency – placement (under laws such as 42 U.S.C. 673b) to be re-routed, from this pool, to the "victim's fund" pool. Establish language – of – law and / or provisioning which ensures that this resource shall be available for a retro – active period of not more than ten (10) years, beginning January 1, 2009.

19. Establish a Citizen Reform Review Council, which shall be comprised of fifty (50) qualified, non – legal, non - Government, verifiably private citizens who's purpose will be to ensure that the overall interests of the citizens of The State of Oklahoma shall be maintained by the government offices of The State of Oklahoma. This Citizen Reform Review Council shall, additionally, be tasked with the review of all OKDHS child – custody, foster – placement, and adoptive records (including judicial documentation which includes, but is not limited to, "sealed records") for all periods beginning January 1 1999, and this Citizen Reform Review Council shall be afforded all rights and privileges which are necessary to carry out the impartial examination of these records. Establish criminal penalties for any individual or organization that attempts / causes to omit, destroy, modify, or withhold any documentation from the aforementioned Council. The Citizen Reform Review Council shall review not less than four (4) records per calendar month; but not greater than six (6) records in any calendar month; so as to ensure that all cases (both current and closed) receive the most thorough review possible. Each case shall be reviewed, by the Citizen Reform Review Council, and recommendations submitted to the Supreme Court Justice(s) of The State of Oklahoma (in the form of a comprehensive, case – by – case, report of allegations, actions, facts, and conclusions) where the determination to "over – rule" or "sustain" the actions in place shall be at the discretion of the Supreme Court Justice(s) and / or a "Grand Jury'; where all members of the Citizen Reform Review Council can / shall be subpoenaed to testify as to their findings as reported. This Citizen Reform Review Council shall copy all reports and findings for archival, and disbursal to offices of The United States Government where requested and / or appropriated by the prevailing law of the land.

20. Adopt language – of – law which states that any parent and / or child shall have the irrevocable right to pursue legal and / or criminal action against a foster – care provider who directly, or indirectly, causes the abuse or neglect of a child; this includes any instance where a third party is notified, but fails to take any action regarding the complaint of the parent and / or child.

21. Ratify Section XXIII-8, of The Constitution of The State of Oklahoma, which states the following:

> "Any provision of a contract, express or implied, made by any person, by which any of the benefits of this Constitution is sought to be waived, shall be null and void."

And shall be strictly observed by every state official, OKDHS office, OKDHS employee, OKDHS affiliate organization, CASA, Law – Enforcement officer, officer, of every court, in every county / district in The State of Oklahoma.

22. Acknowledge the voice of every citizen of The State of Oklahoma, and provide provisioning for public hearing and public vote for any article of this Initiative Petition which is disputed, in any form, by any individual or organization. Additionally ensure that any language – of – law, provision(s), amendment(s), or ratification(s) related to this Initiative Petition shall be transparently communicated, to every citizen of The State of Oklahoma, via United States Postal Service and any other communication medium deemed acceptable by the citizens of this state.

Name and Address of Proponent(s):

Clarence W. Cooper, II
1617 NW 14th Street
Oklahoma City, OK – 73106

(Here follow twenty (20) numbered lines for signatures.)

OKLAHOMA SECRETARY OF STATE
2300 N. LINCOLN BLVD. ROOM 101
OKLAHOMA CITY, OK 73105-4897
(405) 521-3912
Fax # (405) 521-3771

M. Susan Savage
Secretary of State

Brad Henry
Governor

RECEIVED

JAN 15 2009

OFFICE OF THE
GOVERNOR

January 14, 2009

The Honorable Brad Henry
Governor, State of Oklahoma
Room 212, State Capitol
Oklahoma City, Ok 73105

Dear Governor Henry:

Please be advised that Clarence W. Cooper II, 1617 N.W. 14th Street, Oklahoma City, Ok 73106, filed an initiative petition today with the Secretary of State. This petition is designated as State Question Number 745, Initiative Petition Number 392.

Pursuant to Title 34 O.S., Section 8, the signatures for this petition are required to be filed within ninety (90) days after the filing of the petition. The signature requirement for this petition is 117,013.

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

Sincerely,

M. Susan Savage
Secretary of State

MSS/kj

Enclosure: State Question 745

OKLAHOMA SECRETARY OF STATE
2300 N. LINCOLN BLVD. ROOM 101
OKLAHOMA CITY, OK 73105-4897
(405) 521-3912
Fax # (405) 521-3771

M. Susan Savage
Secretary of State

Brad Henry
Governor

January 14, 2009

The Honorable Drew Edmondson
Attorney General
313 N.E. 21st
Oklahoma City, Oklahoma 73105

Dear Attorney General Edmondson:

Please be advised that Clarence W. Cooper II, 1617 N.W. 14th Street, Oklahoma City, Ok 73106, filed an initiative petition today with the Secretary of State. This petition is designated as State Question Number 745, Initiative Petition Number 392.

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Sincerely,

M. Susan Savage
Secretary of State

MSS/kj

Enclosure: State Question 745

OKLAHOMA SECRETARY OF STATE
2300 N. LINCOLN BLVD. ROOM 101
OKLAHOMA CITY, OK 73105-4897
(405) 521-3912
Fax # (405) 521-3771

M. Susan Savage
Secretary of State

Brad Henry
Governor

January 14, 2009

The Honorable Paul Ziriax
Secretary, Oklahoma State Election Board
Room 3, State Capitol
Oklahoma City, Oklahoma 73105

Dear Secretary Ziriax:

Please be advised that Clarence W. Cooper II, 1617 N.W. 14th Street, Oklahoma City, Ok 73106, filed an initiative petition today with the Secretary of State. This petition is designated as State Question Number 745, Initiative Petition Number 392.

Pursuant to Title 34 O.S., Section 8, the signatures for this petition are required to be filed within ninety (90) days after the filing of the petition. The signature requirement for this petition is 117,013.

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Sincerely,

M. Susan Savage
Secretary of State

MSS/kj

Enclosure: State Question 745

RECEIVED
JAN 15 2009
STATE ELECTION BOARD

Clarence W. Cooper, II
1617 NW 14th Street
Oklahoma City, OK – 73106

April 13, 2009

FILED
APR 14 2009
OKLAHOMA SECRETARY
OF STATE

The Honorable M. Susan Savage
Secretary of State
Oklahoma Secretary of State
2300 N. Lincoln Blvd.
Room# 101
Oklahoma City, OK – 73105

Dear M. Susan Savage:

Please be advised that it is my request to withdraw Initiative Petition Number 392, designated as State Question Number 745, at this time; citing the following reason(s):

I. Three articles of this Initiative Petition, in its current language, have the potential to be interpreted / used in a manner which is not consistent with the overall missions of true family preservation and official accountability.

----------End List----------

An amended Initiative Petition is currently in finalization stages and will be filed, in accordance with applicable Oklahoma State statutes, on April 20th, 2009.

I would like to offer my sincerest appreciation for the cooperation of the offices of The State of Oklahoma, through which the spirit of democracy is still reflected. I, additionally, offer my sincerest apologies for any inconvenience(s) incurred as a result of this withdrawal.

Thank you, as always, for your valued patience, assistance, and consideration.

Sincerely,

Clarence W. Cooper, II
Proponent – Initiative Petition Number 392 / State Question Number 745
President & Chairman
Oklahoma Family Rights Coalition
Phone: 405.253.5507
E-mail: clcooper@sq745.org
"For our children; for our families."