

To: Scott (Skip) Randall, Director
Creek Nation EMS

Subject: May 24, 2009 transport incident

The following is a recounting of the incident involving Oklahoma State Trooper Martin, badge number 606. My partner and I, Paul Franks (hereafter referred to as "partner") had responded to a call in Boley Oklahoma. We were en route to Prague hospital. I was riding in the patient compartment seated in the captain's chair. As we were passing through the town of Paden I noticed a state patrol car approaching from the rear at a very high rate of speed. The cruiser was traveling with the emergency lights only; I did not hear the sound of a siren. When the vehicle was approximately three feet from the ambulance's rear bumper, I called out to my partner and told him to pull to the side because there was a State Trooper behind us.

Several important points should be noted at this juncture:

- My partner had a vehicle immediately in front of him upon which his attention was focused
- The patrol car approached at such a high rate of speed, and without any audible devices activated, that he (the trooper) was only a few feet from the rear of our unit before my driver would have made his normal visual cycle (left mirror-front-right mirror)
- Citizens are always advised to stay well back of an ambulance because due to the box-shaped design, it is impossible for the driver to observe a vehicle traveling two to three feet behind one of the units

At my instruction my partner pulled partially onto the shoulder giving the trooper ample room to safely pass us. As the trooper passed us at a high rate of speed, he came over our radio with a statement to the effect that "you should consider checking your rearview mirrors". I was very surprised at this unprofessional gesture broadcasted over an emergency frequency. I asked my partner if he saw the cruiser's number; his response was no.

After we had traveled approximately three blocks, from my vantage point facing the rear, I noticed a patrol car making a left turn onto the main road from one of the side streets. The cruiser entered the main road at a very high rate of speed. In doing so, he cut directly in front of a car driven by one of the family members who was following us to the hospital. This action caused the afore-referenced vehicle to swerve partially onto the dirt shoulder (according to driver of the vehicle). This time the cruiser was running the emergency lights and siren. I informed my partner that another patrol car was approaching us from the rear. As my partner was pulling onto the shoulder, the cruiser came along side our unit and gestured for my driver to pull over. When the officer came to a complete stop behind the ambulance, I noticed a woman in the front seat. Based on the officer's erratic driving behavior, I thought that the woman in the front seat of the cruiser was in need of immediate medical attention; hence, I exited the rear of the ambulance in order to assess the situation. My partner had also exited the unit.

The officer got out of his vehicle in a state of rage. He approached my partner and yelled "get your ass back here! I am giving you a ticket for failure to yield!" He also added "what do you mean flipping me off"?

Note: When the officer passed us the first time and made the rude, unprofessional comment over the radio, my partner raised both hands simultaneously in the universally recognized gesture signifying "surprise", or "what did I do". From the officer's vantage point he could only see one hand and mistakenly thought he had been "flipped off". I and the front seat passenger in the ambulance can attest to the fact that this was not the case.

I informed the officer of the fact that we had a patient in the unit and that we were en route to the hospital in Prague. He ignored my statement, became even more belligerent, and demanded my partner come to his patrol car so he could write him (my partner) a ticket. I calmly told the officer that we were transporting a patient, and we could continue this at the hospital. At this point I told my partner to listen to me and that we did not have time for this now. In addition I again told the enraged officer that he was so close to the rear of our unit that it was impossible for my partner to have seen him. And, I assured him that my partner did not "flip" him off.

The officer then approached me while shouting "you are under arrest for obstructing a police officer". When he grabbed my right arm I asked him if he was aware that he was committing a felony by assaulting a Paramedic in the line of duty. He seemed to become even more enraged and attempted to maneuver my right arm behind my back in order to handcuff me. The fact that he could not accomplish this seemed to enrage him even more. After the brief struggle, I returned to the patient compartment to attend to the patient. I tried to reassure the patient and the female family member who was kneeling by her side praying. Seeing that the patient was now very visibly upset I told the family member that I would permit her to stay in the patient compartment during the rest of the transport.

As we were preparing to continue with the transport, there was a loud knock at the side patient compartment door. By this time another officer had arrived. I opened the door, and officer 606 yelled "you are under arrest"! I again informed 606 and the other of the fact that we had a patient, and reminded him that he had indeed assaulted me in the performance of my duties. Officer 606 grabbed my arm and pulled me from the ambulance. When officer 606 was again unable to maneuver my right arm behind my back he engaged my trachea in a claw-like grip digging his nail into my neck while partially shutting off my air supply. After ten to fifteen seconds he released his grip and told me we could continue with the transport, but as soon as I transferred patient care to the hospital I would be placed under arrest. I told him that that would be fine and proceeded with the transfer.

Note: A convoy of four or five cars containing family members followed the ambulance to the hospital. When the incident began, they all exited their cars and approached the scene. Throughout the encounter I continuously commanded them to stay out of the situation. The family members were understandably extremely upset due to the fact that the officer showed a total disregard for the welfare of their mother. Not once did he enquire as to the severity of her condition.

Note: The entire altercation was videotaped by one of the family members.

Upon arrival at Prague Hospital, I gave a patient report to the R.N. on duty thus relinquishing control of the patient. I immediately walked outside and respectfully offered myself to the State Trooper in order to be placed under arrest. The second officer on scene instructed me to wait a few minutes because officer 606 was on the phone with the D.A. trying to determine what the next move should be. After about ten minutes both officers entered the hospital and requested my personal contact information, and informed me that although I would not be placed under arrest at this time, that I should be prepared to turn myself in this week when, or if a warrant is issued. I respectfully gave the officer my complete contact information, and assured him that I would comply with any future warrant.

Throughout the entire encounter after officer 606 had physically assaulted me, and prevented me from maintaining any patient care, I repeatedly asked who I should contact to report the assault committed upon me by officer 606. I was told several times by both officers that it was not their job to tell me who to contact to report an offending officer. I politely asked this question several times since I found their answers to be somewhat incredulous. After about the fourth request I was told that I should contact the Okfuskee S.O., and the county D.A. Otherwise, the two new officers on the scene refused to hear my complaint against officer 606. I was informed that it "is not our job to receive criminal complaints against another officer".

Note: One last very disturbing fact. After we had arrived at Prague hospital, officer 606 told my partner, Paul Franks that he had determined in his mind to escalate to pulling his service revolver and using deadly force. Again, this was all due to the mistaken idea that he (606) he had been "flipped off". I find it very disconcerting to know that a person of this temperament is allowed to patrol our streets while possessing the profound responsibility of having the use of deadly force at his disposal.

The following is a list of unsolicited names of witnesses that was given to me at the hospital. Two of the women were not related to the original call, but were uninvolved bystanders who witnessed the actions of officer 606.

1. Emmanuel Davis, Stella Jordan, Clara Marrzett, Velma Marrzett, Evon Marrzett, Kenyada Davis, Michael Jordan

Bystanders not related to the family of the patient:

1. Peggy Skaggs: 405-567-9117
2. Diane Walkups: 566 9211

I attest that this statement is a factual accounting of the events that occurred on this day. The statement is true, and unembellished.

Respectfully submitted,
Maurice White, Jr.
Critical Care Paramedic

May 25, 2009

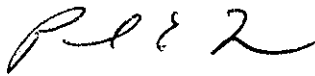
On May 24th 2009 at approximately 1:30 pm my partner – Maurice White and myself – Paul Franks were transporting a patient from a personal residence in Boley to Prague Hospital E.D. About 3 miles out of Boley, our unit was approached by an OHP cruiser traveling at a high rate of speed. I did not see this unit approach for several reasons – (1) Because of the hilly terrain and winding road, my window of opportunity to see his approach was very small. (2) The speed at which he was traveling further reduced the time available to me. (3) I was focused on a vehicle in front of me that was driving erratically. (4) The fact that when the trooper closed the gap between our vehicles he continued to travel at a matching rate of speed of our unit – 3 feet behind my back bumper. This scenario made it impossible for me to see him due to the design of an ambulance vehicle.

The trooper's vehicle passed me at a very high rate of speed causing me to remark to my passenger – "Wow where did he come from?" I did see his lights at this time, but did not hear any audible sirens.

After entering the town of Paden we were pulled over by an OHP vehicle. I exited our unit to the greeting of "get your ass in my vehicle. I'm giving you a ticket right now." I tried to explain to the trooper that I didn't see him, had I, I would have gladly pulled over. I also explained that we had a patient enroute to Prague ER and if he would follow us and let us complete the job we were bound and sworn to do, we would sort this out afterwards.

At this point Paramedic Maurice White exited the vehicle and told trooper Martin the same thing. At this time an already enraged trooper Martin assaulted Mr. White saying he was placing him under arrest. I pleaded with trooper Martin to let us continue and we would be happy to meet with him afterward, to no avail. At this point the patient's family became involved. The situation was extremely close to becoming out of control.

Trooper Iker arrived on scene and the altercation continued another minute or so. Trooper Iker convinced trooper Martin to allow us to continue patient care and transport our patient to Prague ER.



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